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Official Report of Debates (Hansard)

Journal des débats (Hansard)

Wednesday 29 May 1996

Mercredi 29 mai 1996



Speaker
Honourable Allan K. McLean

Président
L'honorable Allan K. McLean

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 29 May 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 29 mai 1996

*The House met at 1333.
Prayers.*

MEMBERS' STATEMENTS

VIDEO LOTTERY TERMINALS

Mr Mario Sergio (Yorkview): The litany of broken election promises continues. The decision to introduce video lottery terminals to Ontario has broken a fundamental election promise which firmly stated, "A Harris government will not move on VLTs until all sectors have been consulted." Sadly, there wasn't a public dialogue, nor was there any contact with interested parties that have a legitimate stake in this issue.

The introduction of VLTs makes it clear that the government is desperate to find answers to its main fiscal dilemma: how to pay for its tax cut. I cannot think of a better example of financial desperation than a government which actively tries to seduce money out of the pockets of hardworking Ontarians through an ill-conceived, get-rich-quick scheme. These people should be investing in their future, not throwing money away in false hope.

Finally, what is most disturbing about this endeavour is that the government is drooling so much over the anticipated revenue that it has lost sight of the social consequences this decision will have.

MINISTRY OF NATURAL RESOURCES STAFF

Mr Len Wood (Cochrane North): I'd like to direct my statement today to the Premier and Chris Hodgson, Minister of Natural Resources.

On May 16 more than 900 Ministry of Natural Resources staff members were laid off, most of them in northern Ontario. In my riding of Cochrane North, 41 jobs were lost.

I'd like to read into the record a letter that was sent to me by one of my constituents whose husband received a pink slip from the Ministry of Natural Resources office in Kapuskasing. Her letter reads:

"Dear Mr Wood:

"I would like you to extend my true thanks to Mr Mike Harris and Chris Hodgson for the lovely pink slip my husband received May 16 after almost 10 years of service.

"Since my husband does have bumping rights, my children would like to thank them for having to leave their home, friends and grandparents behind.

"I would also like to thank them for the loss of our drug plan, dental plan, optical plan and most importantly, my husband's life insurance. With three small children

(eight, six and four) these things are not very important to have.

"I would just like to say if we decide that we do not wish to use the 'bumping rights,' please look forward to seeing our name on your list of welfare recipients.

"Yours truly,

"A wife that decided to leave her job three years ago to look after her children."

YOUNG OFFENDERS

Mr Jim Brown (Scarborough West): Two weeks ago one of my constituents, a 15-year-old boy, had his throat slashed by a 17-year-old. He died, tragically, near my home. While he lay dying, blood pouring from his neck, the 17-year-old assailant taunted him.

Last week a 14-year-old murdered another 14-year-old with a crowbar in Burlington.

A year ago during the election campaign a friend, Mr Tom Ambas, lost his younger brother, Louis Ambas, who died from 54 stab wounds allegedly committed by a young offender. When that young offender went to court he was supported by two lawyers, two social workers and a psychiatrist, all paid for by the taxpayers of Ontario. Louis Ambas's family had no such support.

On behalf of my constituents, I call upon this House to send a message to federal Justice Minister Allan Rock to toughen the Young Offenders Act. The youth must be put on notice that they cannot hide behind their age.

The party's over. We the people will not stand silent any more. No longer should an 11-year-old be allowed to rape a 13-year-old girl and taunt the police that they can't touch him because of the law. We've had enough of being terrorized.

Justice Minister Rock, here are some changes to the Young Offenders Act that we demand:

That young offenders be tried as adults for violent crimes.

Remove the clause that gives children legal aid services regardless of parents' income.

Apply the Young Offenders Act only to those 15 and under.

Release the names of convicted young offenders.

Try children as adults after two convictions.

Make drug counselling mandatory for young offenders. Adult time for adult crime.

The province will do its part, Allan Rock. It's your turn, and time is of the essence.

HEALTH CARE FUNDING

Mr John C. Cleary (Cornwall): A 70-year-old woman who resides in the riding of Minister Noble

Villeneuve has come to me with grave concerns over the changes the Tory government has made to health care and the coverage for cancer treatment. Diagnosed last fall with cancer of the bladder, she's already undergone one form of treatment unsuccessfully.

Just recently, her doctor determined she might be better treated by receiving a weekly shot of BCG administered in his office. The treatment costs her \$90 per visit up front. As of April 1, however, BCG has been delisted from OHIP, and now the woman and her husband are not sure they can afford the entire treatment schedule on their limited income.

Because of this government's delisting of health services, perhaps to fund their massive tax cut for wealthy executives, this woman's worrying is not only about having cancer; it's about not being able to afford the treatment in Mike Harris's Ontario.

I ask the Premier and the Minister of Health to consider the effect their cutbacks to health care are having on the people of Ontario.

1340

RENT REGULATION

Ms Marilyn Churley (Riverdale): Last night I attended a meeting in Toronto where hundreds of tenants gathered to voice their opposition to Tory tampering with our rent control system.

The Minister of Municipal Affairs and Housing was presented with a document he was asked to sign, A True Tenants' Protection Package. Given that the minister says he wants to improve rent control for tenants, I'm sure he will have no problem agreeing with these basic points and will be willing to sign this pledge:

"(1) That any new tenant protection package will include a cap on maximum rents.

"(2) That vacant apartment units would be covered.

"(3) That rental housing stock will continue to be protected.

"(4) That any rent increases will be linked to the ongoing maintenance of the building, and that any increase due will be denied if there are outstanding work orders against the building."

Any tenant protection package that doesn't contain these basic elements would be unacceptable and ineffective in protecting the rights of Ontario's 3.5 million tenants. This seems to me a reasonable and basic starting point for any changes the minister has in mind.

I will be sending a copy of this pledge over to the minister and I'm asking him to sign it and return it to me. I assure the minister that tenants in Ontario, especially the 75% of the constituents of his riding who are renters, will be most interested in his response.

OXYCHEM DUREZ

Mr Tim Hudak (Niagara South): I bring good news again from my riding of Niagara South, good news of more new jobs. Today I am pleased to announce the expansion of OxyChem Durez, a manufacturing company in Fort Erie, Ontario. Between 20 and 25 new jobs will be added to OxyChem's workforce. That's an increase of 65 more jobs over 1995-96.

OxyChem's Fort Erie plant supplies raw materials to the auto manufacturing industry. This is the second time I've stood up in this House to announce an auto-related business expansion in Niagara South. A few weeks ago I announced 100 new jobs at Ronal Manufacturing in Stevensville. And let's not forget the expansion and major investments by Honda in Alliston and Magna in St Thomas.

It becomes clear to me that under this government we are standing at the edge of major job creation in the province of Ontario. The word is getting out that Ontario is open for business again and open for jobs. The word is out that Ontario is the best place to invest in Canada.

I learned of OxyChem's expansion on May 7, the same day the finance minister set forth the first tax-cutting, job-creating budget in the last 25 years. Is that a coincidence? Maybe so, but certainly it is not a coincidence that this government has helped to create 10,000 new jobs per month since we've taken office.

BASEBALL LEAGUE REUNION

Mr Frank Miclash (Kenora): From July 26 to 28, the town of Kenora will host a very special reunion of the former Kenora-Keewatin District Senior Baseball League. Featuring teams from Kenora, Keewatin, Redditt, Dryden, Sioux Lookout and Norman, the league has an impressive history dating back to the early 1900s.

Since forming an organizing committee in February, local volunteers have been working hard to contact everyone who has been connected to the league. I am told that calls have been made to former participants who now reside in places as far away as Los Angeles, Vancouver and here in Toronto. The organization has told the Kenora Daily Miner and News that the most memorable calls have spanned decades rather than just time zones.

Organizers expect as many as 200 former participants and their spouses to attend what I know will be a very successful reunion. Along with a banquet and dance, the reunion committee has organized a jam-packed, three-day event, including a slow-pitch field day, a cruise on the MS Kenora and a fish fry.

I commend the organization committee for their efforts, and I look forward to welcoming all the participants to what I know will be a fun-filled and nostalgic three days.

ONTARIO PUBLIC SERVICE RESTRUCTURING

Mr Tony Martin (Sault Ste Marie): I rise today in some dismay and disappointment. You have to know that's difficult for me, because I'm your quintessential eternal optimist. If there's a ray of sunshine out there, I normally find it; I'm always looking for a silver lining.

Even though over the last number of months I've been quite critical of this government, I was always acting under the impression that somehow there was a plan, that these folks had this agenda they're unfolding for us in Ontario well-thought-out and that at the end of the day we'd all be better off. In fact, some of my constituents are hopeful that's the case and they're waiting for some indication that the plan, particularly in Sault Ste Marie, is going to unfold soon.

But yesterday, the long-awaited business plan this government has been promising us for quite some time now was delivered in this House, and I have to say it was disappointing. It was disappointing because it had nothing in it that gave me or my constituents, the people in Sault Ste Marie, any comfort that this government knows what it's doing, that there is a plan in place and that the upwards of 1,700 jobs that ultimately we will lose in Sault Ste Marie, the already over 500 jobs we have lost in my community, will be replaced and that there's a plan out there that will give us what we need to get on with the job of replacing those jobs and making sure that prosperity does come to this province.

CONSERVATION AUTHORITIES

Mr Frank Klees (York-Mackenzie): It's my pleasure today to recognize an important event and a milestone of Ontario's resource management: the 50th anniversary of the passage of the Conservation Authorities Act.

When Ontario's first conservation authorities were formed in the 1940s, their founders were pioneers in conservation in this province. At that time, poor land use practices and lack of flood control measures had led to frequent and damaging floods, extensive soil erosion and insecure water supplies. Today, thanks in large measure to the work of conservation authorities, Ontario has incorporated resource management planning and flood control measures into municipal and provincial development plans.

Over the years, the role of Ontario's conservation authorities has included many aspects of natural heritage protection, and we applaud the dedication and hard work of conservation authorities in meeting the needs of their local communities and of the province. This government will continue to work with conservation authorities and municipalities to ensure that Ontario's tradition of watershed-based resource management is maintained and strengthened.

Our recognition in the House today is a tribute to a half-century of accomplishments and a reaffirmation of the valuable work that will continue to be done by Ontario's conservation authorities.

VISITORS

The Speaker (Hon Allan K. McLean): I'd like to inform the members that we have a former member in the west gallery, Mr Walt Elliot from the riding of Halton North. Welcome, Walt.

I would like to inform the members of the Legislative Assembly that we have in the Speaker's gallery today Mr Jim Anderson, the general manager, and Ms Wendy Stewart, vice-chair, of the Association of Conservation Authorities of Ontario. Please join me in welcoming our guests.

USE OF QUESTION PERIOD

The Speaker (Hon Allan K. McLean): Yesterday the member for Essex South (Mr Crozier) asked a question of the Minister of Finance (Mr Eves) which was referred to the Chair of Management Board (Mr Johnson). The

question dealt with the elimination of subscriptions for weekly newspapers from the legislative library.

The question was not in order, since it concerned administrative matters internal to the assembly and cannot be considered to be governmental or ministerial responsibility. I want to remind all members that such questions should be raised with the Board of Internal Economy or with the Speaker and not in the House.

STATEMENTS BY THE MINISTRY AND RESPONSES

GOVERNMENT AGENCIES REVIEW

Hon David Johnson (Chair of the Management Board of Cabinet): Today I am reporting to the members of the House on the results of the first phase of the work of the task force on agencies, boards and commissions, chaired by Bob Wood, my colleague the member for London South and the parliamentary assistant to the Chair of Management Board of Cabinet.

Provincial government agencies, boards and commissions were set up to help the government fulfil specific objectives over a specific period of time. However, even after their objectives were no longer relevant, many agencies continued to exist. The result is that there is now a heavy layer of approximately 200 scheduled agencies, boards and commissions, many with obsolete mandates and inflexible structures that are cumbersome and expensive to administer.

In its throne speech the government made the commitment to put all its agencies, boards and commissions to the test. The purpose of the task force was to review and make recommendations on government agencies, boards and commissions with a view to eliminating those mandates which were obsolete and streamlining the operations of those which remain. The government has made decisions, based on the task force's recommendations, to help achieve a smaller, more efficient organization that spends taxpayers' dollars wisely and which is more flexible and community-based in the way it obtains advice from experts and the public.

1350

I would like to thank Mr Wood and his hardworking team on the task force for their excellent work thus far in helping streamline and rationalize the agency sector.

Mr Wood and the task force have recently completed a thorough review of 50 advisory agencies. As the task force's work progressed, some ministries were prompted to take early action in announcing the elimination of some advisory agencies and the new processes they plan to use to obtain advice in the future.

Overall, the government will eliminate 22 advisory agencies over the next two years. In some cases, advisory functions will be taken over by ministries or the government will seek advice through less formal mechanisms. Three agencies — the Health Care Systems Research Review Committee, the Health Research Personnel Committee and the Health System-Linked Research Units Grants Review Committee — will be amalgamated into one advisory committee.

Elsewhere, 12 agencies are still under review with the possibility of further savings as the government reduces duplication, increases efficiency and looks to alternative ways of seeking advice. We want to look at new options which are more flexible for the government to receive advice from the community. Finally, 13 advisory agencies will continue to operate.

The government's decisions are concrete steps to reduce government costs, eliminate duplication and develop new ways of seeking advice from the community while maintaining the integrity of the advisory function. The recommendations of Mr Wood's task force will save taxpayers \$2.9 million over the next two years, and that is 31% of the 1995-96 budget for advisory agencies.

As this government has said many times, in an environment of restructuring and cost reduction you've got to find new ways to do business. The same is true for our advisory agencies. Whenever possible, government will seek advice through volunteers and less formal processes. Where formal advisory agencies continue to be used as a method of consultation or advice, government will look for qualified people who are willing to serve on a voluntary basis.

This review of advisory agencies means that the first phase of the work of the Government Task Force on Agencies, Boards and Commissions has been substantially completed. Further decisions will be forthcoming as Mr Wood and the task force continue with their review of operating and regulatory and adjudicative agencies. I will continue to update the members of the House on these decisions as the work of the task force progresses.

Mr Joseph Cordiano (Lawrence): I want to say to the minister that I heard his statement and I'm thinking now that if I have trouble falling asleep later on this evening, I'll watch a rerun of that statement. It certainly will help to put me to sleep.

I've heard this repeatedly, over and over again. The government keeps saying, "We're going to restructure." The minister refers to cost reduction and how we've got to find new ways to do business. We hear that every single day in this House. Every minister stands up, and this minister stands up, each and every day and repeats the same jargon.

Again, no one in this House would be against finding more efficient ways to do the things we have to do. On the other hand, what we're seeing — I look at the business plans that were announced by the government yesterday. The title boldly proclaims *Doing Better for Less*. Well, we're not doing better for less; you're doing a whole lot less for less. That's really what it comes down to.

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): Spend, spend, spend.

Mr Cordiano: It's not spend, spend, spend. You're actually reducing the operations of government. You're actually dismantling the operations of government. At least if you were to come clean with the people of this province that you will in fact do less for less — you will do less for less.

When I look at the business plans, here's a beauty: the Attorney General and the conclusions in the business

plan. What does he say? "A faster, more efficient and more accessible court system." Of course it's going to be faster, more accessible and more efficient. You're going to prosecute fewer cases. You're going to allow more economic crimes to go unprosecuted. That's happening all across Metro. We have a rash of break-and-enters everywhere. There's a crisis that's looming large, and you're going to make things more efficient. Certainly you are with the reduction in the workload for court cases coming before prosecutors. There's no question of that.

I look at culture in the business plans that were announced yesterday, and I quote: "encourage the arts, preserve Ontario's heritage, advance the public library system." That's absurd. With the cutbacks we're seeing in transfers to municipalities and transfers to the arts, how can the minister stand up and say, "That's part of my mission; that's part of the vision statement"? Absolutely the opposite is true. There's no vision over there; there's no mission. The mission certainly isn't to advance the arts, because you can't possibly do that with the dollars you've reduced in terms of the ministry's budget.

Look at what the plans say with respect to economic development and trade. That's another interesting one. It says, "To contribute to economic development and job growth through programs, services and partnerships." Well, well, well. The Minister of Economic Development, Trade and Tourism, what's his job? He has proclaimed it to be: "We're getting out of the business of helping business. We're simply not going to do anything further to help business directly." So how can you proclaim that that is a vision and a mission for the ministry when in fact the opposite is happening right now?

Again, when you flip through the pages of this business plan that was put forward yesterday, you find education. This is my favourite. The minister wants "a system that realizes excellence in student achievement, is accountable to the people it serves and spends taxpayers' dollars wisely." That's a further joke when \$400 million are taken out of the budget for education. How can you have a more effective education system that won't result in larger classroom sizes, that won't result in the dropout rate further increasing?

It's clear that this government will do a whole lot less — yes, maybe for less, but you're going to do a whole lot less. So why don't you tell people like it really is, that you're going to really cut the services that people need? You're going to dismantle the education system. You're going to really hurt our health care system. It will result in a two-tiered health care system for this province, something we've never seen in this province. You're going to dismantle a whole bunch of operations within government because you cannot do it if you don't do less with less. There's no way you can do it. So come clean with the people of this province.

Mr Tony Martin (Sault Ste Marie): Here we go again, another statement that says nothing except that the unrelenting attack on everything we hold sacred in this province goes on. Today democracy itself is under review; democracy itself is up for grabs.

This is a wonderful province that we live in, a province that's the envy of jurisdictions all over the world: a standard of living that's above the norm, opportunities for

people, education, health care, a place that's good to work in, a place that's good to bring children up in. We all play a part in making it that. We've all had a role to play in developing the institutions we all feel are essential to the very democracy that we participate in and that we rely on to make sure those things are in place and that we have some level of comfort that we will have present today services, opportunity to work, and not only that, but that our children will have those same opportunities five or 10 years down the road.

There are some basic fundamentals that underlie all of this: a sound education system, a health care system that's accessible to all, social services that take care of us in our time of need, and a strong government that's willing to stand up and play a role to create some stability so that this jurisdiction continues to be a good place to invest in, a good place to do business.

1400

It requires a participation by all of its citizens in the decisions that affect them, but more and more we see all of this in the last short few months under serious attack. In July 1995 it was the poor. They lost almost a quarter of their take-home pay. Shortly after that it was the middle class, because we took away their jobs, we took away their services, we took away their ability to deliver those services, by taking in Sault Ste Marie, for example, \$2 million out of the local economy every month. By way of the money they took away from the poor, we've hurt small business. This government cares nothing about small business.

Now, in the last few weeks, we hear that local government is under attack. We don't know what local government is going to look like. We don't know when Big Brother is going to come in and say, "You get together with him and form a new government."

School boards out there are anxious. They don't know what's in the cards for them. They don't know what the future holds. They don't know even if they're going to be around. School boards, the very epitome of local democracy, people elected to collect property taxes and spend it on that most fundamental of services that we all count on, education, and we don't know what's going to happen to them and what this government has in store for them.

Today we're delivered a statement that tells us that we're well on our way to reviewing and making massive changes to our agencies, boards and commissions, again without any context, without any business plan, without any reference to what you're going to put in place once you take this away. The government and this minister obviously didn't learn much from yesterday's experience. Here's another exercise in empty rhetoric and Orwellian language. Tory backbenchers are running around with axes threatening to chop away at agencies, boards and commissions.

It's pretty obvious that the Mike Harris revolutionaries have no idea why this kind of system was set up in the first place. For some public service operations, it's better for people if there is advice and direction from independent, fairminded citizens, but that obviously doesn't mean that much to the Tories. You can see it from the bare-knuckled partisanship in many of their appointments to these agencies that have come up for review in the legislative committee I sit on.

It's entirely possible that the operation of some agencies, boards and commissions could in fact be improved, but the way to do it is not with a partisan meat axe, seeking funds that can be freed up to cut taxes for the rich. This is just one more step in covering up the slashing of jobs and services under a thick layer of frothy spin. The people of Ontario will not be fooled. In this case, the government claims to be saving \$2.9 million over two years by cutting off resources, sources of independent advice. For the remaining agencies, you say you only want people who can afford to serve without being paid, and we know what that means. At what price democracy?

Mr Bud Wildman (Algoma): Mr Speaker, I'd like to ask for unanimous consent to give the Premier the opportunity to make a fulsome statement on the Ipperwash controversy and to clarify the role of the government in this whole affair.

The Speaker (Hon Allan K. McLean): We do not have unanimous consent.

ORAL QUESTIONS

IPPERWASH PROVINCIAL PARK

Mr Michael A. Brown (Algoma-Manitoulin): I have a question for the Premier. Today we learned that a mere 24 hours before the unfortunate events at Ipperwash on September 6 last, events which left one person dead and three people wounded, a meeting took place between an OPP superintendent, the parliamentary assistant to the Attorney General and as many as six senior political staff, including your most trusted adviser, your executive assistant for issues management, Deb Hutton. Premier, what directions did you give to Ms Hutton before she went into that meeting with the OPP superintendent?

Hon Michael D. Harris (Premier): None.

Mr Michael Brown: Let me tell you who was at that meeting: Deb Hutton, your executive assistant; Dan Newman, parliamentary assistant to the Attorney General; David Moran, executive assistant to Charles Harnick; Jeff Bangs, executive assistant to Chris Hodgson.

Premier, these are among the most powerful political staff people in the government. They make decisions. What decisions were made at their secret meeting with the OPP superintendent the day before the tragic events at Ipperwash?

Hon Mr Harris: Let me clarify a few things: Number one, this was not a secret meeting. This was a meeting of a committee established on a formal basis by the NDP government following the Oka crisis that when a situation develops, as developed the day before the meeting, with an occupation of a provincial park at Ipperwash, the membership of this committee would be set up to get a review of events that took place.

On September 4, an occupation — this was a holiday Monday, if you will recall — took place of Ipperwash Provincial Park. On September 5, there was a meeting of the committee, of those parties affected, the same committee set up by the NDP. A staff member from my office, as per Mr Rae's office that attended those meet-

ings on a basis when they had them, attended to get information so that the Premier's office, the Minister of Natural Resources office, the other offices of those who were affected could be briefed on events that took place on September 4. That was the purpose of the briefing and that is what took place.

Mr Michael Brown: Premier, you're just not believable. You want us to believe that you called together these senior political staff, including your own executive assistant and the superintendent of the OPP, to a secret meeting to discuss Ipperwash and not once were there any discussions of what the police were planning. No one believes that's true. We asked for an inquiry in the past and you refused. Now we know why.

Will you tell us now exactly what role your executive assistant played in formulating a plan of action for Ipperwash? Will you tell us what information the OPP shared with your executive assistant? Will you tell us what information your executive assistant shared with you following the meeting? And can you tell me why, if this was a police action with no political interference, six of the most senior members of the government's political staff were having a secret meeting with the OPP? Do you really want us to believe that the timing of this police action just 24 hours after this meeting was just a coincidence?

Hon Mr Harris: Let me clarify a few things for the honourable member: The staff involved will be pleased to have you call them six of the most senior decision-making staff, because this is perhaps elevating their status beyond that which they believe they have —

Interjection.

Hon Mr Harris: — and the member now says they want the pay to go with it.

Number two, you called it a secret meeting. There was nothing secret about the meeting. In fact, I would tell you this, that every member of this Legislature and every member of the media I think would have been astounded had there not been a meeting of the key ministries involved following the occupation of the Ipperwash park. You would have been astounded if such a meeting and a briefing did not take place 24 hours following the occupation of the park. So it was not a secret meeting. The only thing secret about the notification of the meeting was the home and cottage phone numbers of those people who were on the list of the committee set up by the NDP so that if something happened these people should be called together to have a meeting so that everybody can be briefed on what happened. So there was no secret meeting.

The staff involved were those who should be involved from the ministries that ought to have been briefed on the events that took place, and there was absolutely no direction, as there ought not to be, from me or any of my staff to the OPP.

The Speaker (Hon Allan K. McLean): New question.

Mr Gerry Phillips (Scarborough-Agincourt): To follow up with the Premier and just to confirm, on September 5, at the time the meeting was taking place, I gather the OPP were assembling a large number of officers to gather at Ipperwash to deal with the crisis. At the same time, many of the senior staff, the political staff,

were at this meeting. I can only assume that it was a meeting designed to bring your staff up to date on what was being planned.

1410

A very important question, Premier, is: Was your staff informed of the OPP plans for a buildup, and what was the response of your staff that you had at that meeting to that buildup?

Hon Mr Harris: First of all, the meeting involved 20 people, of whom there would have been one political staff member from each of the ministries that were affected and that were involved in this situation: the Ministry of Natural Resources, because it was their park and they had responsibility for the Ipperwash Provincial Park; and I believe the Attorney General's ministry — by the way, the meeting was called, as it ought to have been, by the minister responsible for native affairs. That person is the one who would call the meeting, call the people together and give a briefing on the situation that was taking place at that time: "Here's the update. Here's the best information we have available." Invited from the OPP was the liaison officer who is assigned to that committee in these circumstances.

I can't recall at this particular point — back to September 5 — the precise information, but if you check the press records of what I said to the media, that's what I was told.

Mr Phillips: Premier, it's a very clear question. You had a representative at that meeting. The OPP had decided to handle things very differently in this circumstance than they had in previous circumstances. I can only assume that at that meeting your personal representative — the OPP would have assumed that that person was there representing your office — you, Premier. I assume the meeting was designed to do what you said it was designed to do, and that is to bring you up to date.

I want a very clear answer from you. Was your staff informed of the buildup, and what was your personal staff's response to that buildup?

Hon Mr Harris: When it came to an assessment of the situation, it would have been reported what the assessment was at the park. I think you can clearly get that from the records of what I said to the media.

When it came to whatever might have been the response to that, clearly my understanding would have been that that is a matter for the OPP to deal with; that is not the business of the Premier, of the Premier's staff or of any other staff. It is now in the hands of the OPP. Any negotiations are in the hands of the OPP. They are the experts in this field, and surely nobody would presume to think that the Premier or his political staff would have expertise in these areas. Therefore, we would not have offered any opinion.

Mr Phillips: I'll take from that, Premier, that your staff was told that the buildup was taking place. If they weren't, you can deny that, but I've given you two opportunities to come clean with the people and so far we're getting no answer from you.

It is clear that at the time that meeting was taking place, the OPP were rounding up sharpshooters, were bringing in extraordinary measures, without question. At that meeting, I can only assume, because you refuse to

answer the question, that your personal representative, the person you sent to that meeting, was informed of those matters. You've chosen to not tell the people of this province what took place at that meeting and the fact that you and your staff were informed of the buildup. Frankly, your hands are all over this. You have tacitly approved the actions of the OPP.

My question is: Now that we are beginning to see the true facts of this matter, will you finally agree to hold a public inquiry where we can finally get the truth of the matter? Will you agree today to a public inquiry where all the truth can come out rather than you hiding behind the facts?

Hon Mr Harris: Let me say a few things. It's easy for you to stand in your place and make silly allegations and impute motives, things that are absolutely untrue.

We knew nothing of any OPP buildup. It was not our business. It is the business of the OPP to deal with it. Any briefing that I got would have been in there. You saw there's a statement of September 12 that we made on the issue. So it is an OPP matter; it's not a political matter.

Quite frankly, you get, through your interventions now, to the very heart of parliamentary democracy: the separation of police and politicians. I want to tell you, that is something that we treat very seriously and something we think is very, very important.

You come to the question of getting to the facts after the fact, obviously, of a situation that has taken place. We have not said no to a full public inquiry. We have not said no to an emergency debate. We have not said no to a legislative inquiry. We have not said no to any of these things. We have said no, we knew nothing of any buildup. My staff heard nothing of any buildup. I was informed of no buildup that you keep repeating.

What I will tell you is this: When the SIU investigation is completed, there are also outstanding charges that are there. There is a personal lawsuit that is there. I share the frustration with a lot of people about the length of time that the SIU investigation is taking place. When that is complete and we have the information, then we can make an assessment of what kind of follow-up do we want, would we all like to have, to ensure that the type of situation that occurred at Ipperwash never happens again.

The Speaker: Leader of the third party.

Mr Bud Wildman (Algoma): A question to the Premier on the same matter. The Premier's responses are confusing. I remind the Premier that on April 2 he told reporters that briefings on the Ipperwash situation for the staff of the Premier's office were "more after the fact," yet now we know that the day prior to the incident a meeting took place of the aboriginal emergencies committee, a committee which was set up by the Liberal government and was used by the NDP government as well — the day before the incident — and a member of your staff, Ms Hutton, was in attendance, as were members of the other ministers' staff and also the parliamentary assistant to the minister responsible for native affairs.

Can you make it very clear? Did you give any direction or express any opinion about how the situation should be proceeded with to your staff, to the OPP or to

government officials after the occupation of Ipperwash Provincial Park?

Hon Mr Harris: By way of preamble, the member talks about a meeting taking place in advance of a very unfortunate shooting incident at Ipperwash. I don't know if you are implying that there was a meeting that took place to plan this or to talk about this.

Mr Wildman: No.

Hon Mr Harris: Well, that's what you're implying. The meeting that took place on September 5 was to deal with the occupation that took place on September 4 and to get a full briefing. You would expect that meeting to take place. There was an unfortunate incident, obviously, that took place that we all know about — it's now the matter of an SIU investigation — and there would have been further meetings of that committee to take place to get briefed with whatever information we had on that. Obviously it's not very complete because then the SIU comes in and there are other investigations that need to take place.

I can assure you that the purpose of the meeting of this committee on the 5th — as you say, a committee set up by the Liberals, formalized by you — was to give a briefing to those ministers who would have been involved, including the Premier's office, of the situation as we understood that it existed at Ipperwash Provincial Park. At no time — at no time — was there any direction given by any political staff or any politicians as to what the OPP should do or how they should carry out their job.

Mr Wildman: The information in the press this morning indicates that the parliamentary assistant to the native affairs minister was present at the meeting, which is quite unusual. Your press secretary is quoted as saying, "The Premier was never directly involved in formal meetings on Ipperwash." There have been all sorts of rumours about statements made regarding getting the — expletive — "Indians out of the park."

Why will you not clarify your role in this affair and clear the air? Were you involved in any informal meetings where any informal opinions or directions were expressed about how this matter might be dealt with in order to ensure that the Ipperwash Provincial Park occupation did not continue?

Hon Mr Harris: Was I involved in informal meetings? I don't know what an informal meeting is. When I go to bed at night, is that an informal meeting? When I sit and talk with people, is this an informal meeting?

I clearly understand the role of the separation between politicians and the police, and at no time did I give direction to staff to give direction, or did any of my staff give direction, to the best of my knowledge, to any member of the police, the OPP, at any level of any category as to how they should carry out their job. That is not our role and I can assure you that did not take place.

1420

Mr Wildman: There are certainly a lot of questions around the role of the government and the staff of the government and government ministers in the handling of the situation at Ipperwash. Since the Premier says that he and members of his government did not give direction,

can he tell us who did? Who gave the direction that the aboriginal people should be moved out of the park and that whatever measures were necessary should be used? Who is going to make this clear? Who is accountable? Who is going to investigate the role of everyone — the government, the staff, the OPP — involved in the incident that led to the shooting of Anthony Dudley George at Ipperwash?

Hon Mr Harris: Right now, the SIU is investigating the actual events that took place. When the legal matters that are being dealt with have been completed, then I believe it would be appropriate that we take a look at, if necessary or if required or if the SIU investigation or the ensuing court action do not answer all the questions, if they continue to not answer the questions, then I believe that if you wish to discuss whether you want to have a special inquiry, a legislative committee — I'm not sure an emergency debate is going to serve a lot of purpose, but if you want one of those, we're prepared to talk about that too.

The Speaker: New question.

Mrs Marion Boyd (London Centre): My question is also to the Premier. At the time of the shooting of Dudley George last September you were consistently quoted, as you've said, in the press stating that the Ipperwash occupation was a police matter and that there was no political involvement in any of the decisions that were made regarding that situation. You've repeated that here today.

I have with me a copy of a House note on this issue, dated September 14, for the minister responsible for native affairs — obtained, I might add, through freedom of information. The note says, under the suggested response section: "The occupation of Ipperwash Provincial Park is primarily a police matter. Therefore, I shall refer your question to the Solicitor General, the Honourable Bob Runciman."

Since obviously this is a question that has arisen and is exercising a lot of people, will you explain, as the Premier, to this House what the roles of the Attorney General — also the minister responsible for native affairs — and the Solicitor General were in the events leading up to the shooting of Mr George?

Hon Mr Harris: I can't refer it to both of them, but I guess I can refer to one of them and they can explain directly for themselves. I'll start with the Attorney General, the minister responsible for the Ontario Native Affairs Secretariat.

Hon Charles Harnick (Attorney General, minister responsible for native affairs): Certainly the role of the Ontario Native Affairs Secretariat was to be advised of what happened, to be informed of what was going on; to find out if there was any way to facilitate a resolution to the situation, which we've been trying to do for the last several months, many months; and quite simply to be informed of what was going on and maintain a dialogue with Chief Bressette, which we have done; to maintain and have a dialogue with Mr Mercredi, which we have done, in terms of trying to understand what the difficulties that caused this situation to arise would have been. We've looked at a number of those issues. We're setting up a methodology to attempt to settle those differences.

The difficulty continues to be that Chief Bressette would like to proceed and move forward. He has difficulties in terms of the continuing occupation of the park and some members of what are referred to as the Stony Pointers, who are not people he has any control over dealing with. So that's what the role of the Ontario Native Affairs Secretariat has been.

Mrs Boyd: I'm sorry that the Premier decided again to pass off his responsibility to a minister, but I'll continue questioning the minister. I have, Minister, in my hands, also obtained through freedom of information, your minister's briefing form, entitled, interestingly enough, Occupation of Ipperwash Provincial Park by the Stony Pointers, so I assume you have the same note.

There have been excisions from this, of course, under subsection 30(1) of the act, but this note was prepared on September 5, one day before the shooting of Dudley George, and it is an informational note outlining the issue. But at the bottom, after the deleted sections, there is a statement, which reads, and I quote exactly: "It was agreed that ministerial direction should be sought as soon as possible. The committee will be meeting again on September 6, 1995."

That ministerial direction was sought the day before the shooting. The meeting took place on the day of the shooting. The minister responsible for native affairs keeps trying to say that this was an informational situation, that it was a police matter and the responsibility of the Solicitor General, but you are the minister who was asked for ministerial direction and you were asked to provide that for a meeting on the day of the shooting. It's very hard for us all to understand how you all can continue to say that this was simply a police matter, when quite clearly your own briefing note indicates that ministerial direction was sought.

Minister, can you please explain what was the ministerial direction that you gave on September 6 in answer to this request?

Hon Mr Harnick: Quite simply, there were questions posed at those meetings asking whether we should obtain a civil injunction as a result of the fact that the province owns the park and wished to assert the ownership of that park to see if we could use that civil injunction to peaceably, peacefully end the occupation. That's quite simply what that ministerial direction would have involved. There's nothing more.

Mrs Boyd: That's very interesting, because on April 1, 1996, in response to a question from the Leader of the Opposition on this issue, you stated:

"I also point out to the Leader of the Opposition that I believe it's Chief Superintendent Coles, who was in charge of the southwest region of the Ontario Provincial Police, indicates quite simply this was a police matter, not a political matter, and there was no political interference."

You've just said that what you were giving ministerial direction about was a peaceable civil remedy. Are you telling us that your ministerial directions were not followed? What kind of a cover-up are we seeing going on here? Your answers are very inconsistent between, "It's a police matter," and, "I'm seeking a civil injunction." You say that you gave no political direction in one

case and there's no political interference in one case, and then you tell us that indeed you were giving ministerial directions.

1430

There really is a problem here. If this was simply a police matter, why was ministerial direction being sought on a civil remedy before the shooting? Why again — it feels very familiar, this issue — were directions not given to the OPP to wait until you had an answer on that civil remedy to avoid the issue if what you were trying to seek was a peaceable solution? It's widely rumoured that the language used and attributed mostly to the Premier, but it may well have been attributed to others, was, "Get the" — expletive — "Indians out of the park." Is that the ministerial direction you gave?

Hon Mr Harnick: I think the characterization and the stretch that the member tries to make are ludicrous. The member knows full well that my involvement does not have any involvement with the Ontario Provincial Police. They were there as a result of the occupation of the park. You can't say in one breath, "Why were you not directing the police?" and in another breath, "You shouldn't be directing the police."

There was no involvement in a political way with directing the police. We were looking for ways and means to end this occupation, that was one of the suggestions and it was one of the procedures we looked at. It unfortunately was not able to effect that kind of a result. To make a connection between the idea that there was a discussion about obtaining a civil injunction and tying that in to instructions to the Ontario Provincial Police is ludicrous.

The Speaker: New question, the member for Scarborough-Agincourt.

Mr Phillips: To follow up with the Premier in terms of the Ipperwash issue, it is clear to everyone that the OPP handled this circumstance in quite a different manner than they had been handling previous disputes with our native communities — very different, a very substantial buildup in officers and in armaments and quite a different approach. It is unusual to see the OPP change their approach that dramatically.

My question is this, and you no doubt have had your staff look at this completely: Are you saying, for the record, that the OPP completely changed the way they deal with native confrontations without first seeking and explaining to the government their revised plans for dealing with native confrontation?

Hon Mr Harris: I'm not saying anything. I don't know whether the OPP have changed how they dealt with situations. Each situation is dealt with in its own way. I don't think it's clear yet. Unfortunately, we don't have all the facts yet of what happened there or why; that's part of the SIU investigation. I'm not saying any change took place. I don't know if any change took place. I don't know how they handled them in the past, and we were not party to how they handled this one.

Mr Phillips: Just confirm, Premier: You are saying the OPP did this all on their own, they did not discuss their new method of operations with anyone in your government and they did this without any authorization, discussion or tacit approval from your government. Are you saying that today, Premier?

Hon Mr Harris: I am not saying they changed any of their *modus operandi* or how they operated or what they did. I don't know how they operated in the past; I don't know what examples we have where there were occupations of provincial parks and if there has ever been an identical situation to this.

You are implying in your question that somehow or other the OPP changed. I do not know that the OPP changed because I don't know what their plans were in the past and I did not know what their plans were on this occasion.

The Speaker: New question, the leader of the third party.

Mr Wildman: To the Premier on this issue: To give a couple of examples from the past, the Premier will recall that in the year 1990 there were a number of occupations not just in Ontario but across the country. There were some in Ontario, and subsequently there was the Poplar Hill Road blockade and the Shawanaga Road blockade.

In all those instances, to my knowledge, the OPP took the approach of trying to avoid confrontation, trying to isolate the blockade or the occupiers without direction from anyone at a political level. That was the approach the police took. That is why my colleague from Agincourt has indicated there was such a change in this case.

Why would the OPP change its approach? Chief Superintendent Coles is quoted in the press on March 31 saying, "A decision was made to confront the people." Subsequent to this, Chief Bressette has said that he was warned the day before the incident and told that the direction, "Get the" — expletive — "Indians out of the park," had been given, and he went on the radio to warn the public and the occupiers.

If you did not give the direction and if members of your government did not give the direction, to your knowledge, who did?

Hon Mr Harris: To the best of my knowledge, there was not any change in OPP policy or philosophy or in how you deal with circumstances. I would assume that the OPP would always want to peaceably resolve any of these disputes.

At this time at Ipperwash there was clearly, in the government's view, an illegal occupation of Ipperwash park and this matter was turned over to the OPP to resolve. I certainly would think that the OPP would in 1990, in 1991, in 1992, 1993, 1994, 1995 at Ipperwash, and today, want to resolve these situations as peaceably as absolutely possible. Certainly I can tell you that that would be our goal and no direction would be given contrary.

Mr Wildman: Is the Premier prepared to request the minister responsible to investigate who may have said what Chief Bressette says was said, "Get the" — expletive — "Indians out of the park," who did it, who said it, who gave that direction, and report back to the House as soon as possible as to whether or not that decision was made at a political level in the bureaucracy or whether it happened at all?

Hon Mr Harris: I don't know whether it ever happened at all. I don't mind inquiring to find out if anybody knows if it happened. But I would suggest that when we get the SIU investigation finished with, hopefully sooner

rather than later, and any charges that are outstanding there, we want to have a look at what took place and why, and hopefully all these things will see the light of day.

ACADEMIC TESTING

Mr Jack Carroll (Chatham-Kent): My question is for the Minister of Education and Training. Mr Minister, constituents in my riding have expressed concern to me following the recent announcement of the establishment of the general education development testing in the province. They have informed me, and of course we all know, that there's been a pilot program conducted by the Independent Learning Centre for the past year. The concern of my constituents is that the pilot of a year wasn't long enough. Could you respond to their concerns about the length of that pilot program?

Hon John Snobelen (Minister of Education and Training): I'm pleased to address the honourable member's question because I believe the general education development testing that we have now expanded across Ontario is a very important initiative for many people in the province of Ontario, particularly those people who obviously have not obtained a secondary school diploma but who have prior learning that brings them to the level of a high school graduate.

This program has been piloted for a year in the province. However, I want to make sure the honourable member's constituents understand that the general educational development testing, the GED testing, has been done in virtually every jurisdiction in North America except Ontario. We're one of the very few exceptions who don't offer this service and this program to our citizens. I think this is very important and a very big step forward for those people who would like to enter into other training initiatives or educational programs or who require this for applying for jobs. I think it will be a big step forward for a lot of people in the province.

1440

Mr Carroll: As a follow-up, they also expressed some concern that generally the educational development is kind of a backdoor way to get your high school equivalency diploma. Can you assure us or comment on the fact that the testing standards for the general educational development testing will be as rigorous as the testing standards for our high school students?

Hon Mr Snobelen: I can assure the honourable member that the GED tests are indeed exhaustive. There's a series of five comprehensive tests that are involved over two days, a total of seven and a half hours of test writing, to assess the knowledge of the applicant. This assessment is done in the areas of written skills, literature and the arts, social studies, science and mathematics. When a person has completed this process they can be accredited, and the people who are relying on that accreditation can be assured of the fact that these individuals have met our high school standards.

OBSTETRICAL CARE

Mrs Elinor Caplan (Oriole): My question is for the Minister of Health. Women in Ontario are beginning to

worry that they will not be able to get the maternity care they need when they need it. They're being told by their obstetricians and their general practitioners that they will not be available to give the maternity care and to deliver their babies.

My question for you today is very simple: Will you stand in your place and assure women right across this province that they will receive obstetrical care when they are pregnant and have their babies delivered safely in their communities by obstetricians should they need obstetrical care?

Hon Jim Wilson (Minister of Health): As you know, we've been very concerned about both obstetricians and general practitioners, family doctors, who do deliveries about the threat of withdrawal of services. All members of the House will know that on April 1 we increased those fees for delivering babies by 30%, which gives obstetricians, on average, a \$14,000 increase towards their malpractice insurance. That's this year's increase, which should cover most of the malpractice insurance. If we look at the 1995 rates, the malpractice insurance levy was \$13,496. This year we have given \$14,000.

All members will also know that as a result of this government's action — and it took some nine months, I admit, to have both the doctors and the federal government and the CMPA, the Canadian Medical Protective Association, take us seriously — retired Justice Charles Dubin has been appointed by the federal government, the CMPA and myself to do a full investigation or inquiry, including actuarial studies, of the protective association. He will report back to us in September. In the meantime, we have taken interim actions to try to make sure we cover the concerns expressed by obstetricians, and we will take further action until Mr Dubin's final findings are in, if there's more action that needs to be taken.

Mrs Caplan: The minister is talking about fees and studies. He is not giving the women of this province any secure feeling that they are going to get the care they need when they need it. The fact is that you created this problem. We are on the verge of a crisis. Obstetricians are deciding not to deliver babies. Family doctors need obstetrical backup, midwives need obstetrical backup and women need the confidence to know that they are going to get the maternity care they need; that they'll get the care before they have their babies, when they deliver and after they've had their babies.

Eighteen per cent of women in Ontario are considered high-risk and need obstetrical care, and yet we know that doctors are leaving this province. They are leaving Sudbury. Six out of eight obstetricians are saying they will be withdrawing from deliveries in Thunder Bay; eight out of eight obstetricians in Sudbury say they will not be doing deliveries; five out of six in Sault Ste Marie; 10 out of 12 in Windsor; 97% of obstetricians in Ottawa are saying they will not do deliveries.

Mr James J. Bradley (St Catharines): Same thing in St Catharines.

Mrs Caplan: St Catharines, Orangeville. Right across this province, doctors are telling their patients that they will not be looking after them when they are pregnant and when they are delivering their babies.

You have the responsibility. What are you going to say to the women when their doctors tell them they're not

going to be available to help them safely deliver their babies? It might be all right —

The Speaker (Hon Allan K. McLean): The question has been asked. Minister.

Hon Mr Wilson: Let us give some comfort to the women of this province. It is against the law for obstetricians or any other physicians to withdraw services from their current patients. That is an act of professional misconduct, and I do not believe that the doctors of this province will act in an irresponsible and illegal manner, first of all.

Secondly, we do talk about fees because that is what they talk to me about. Staff have met this week with obstetricians, we're meeting again today with obstetricians. I could get into great detail about the Sudbury situation, where those physicians are going, because we spoke to the Sudbury doctors yesterday. The fact of the matter is, we are putting more money back on the table, in spite of the fact that other areas of government have been cut, in spite of the fact that doctors in Ontario are the highest-paid profession in Canada and the highest-paid doctors reside here in Ontario and that this province spends 18.5% more on physicians' services per capita than any other province.

We are doing all we can to provide the dollars to physicians and we expect them to live up to their legal obligations to their patients in this province.

COMMENTS OF MINISTER OF TRANSPORTATION

Mr Bud Wildman (Algoma): I have a question for the Premier in relation to a transcript from a preliminary hearing at which the Minister of Transportation testified on April 19. This was a preliminary hearing into fraud charges against one of the minister's former employees prior to his being elected.

On that date the minister made the following statement about bogus automobile warranty claims — I'm reading from page 231 of the court transcript — "I have no problem with at least a customer benefiting from this bogus, if you want to call it 'bogus,' warranty submission."

The lawyer for the accused asked Mr Palladini further: "If the work is done and the customer is happy and a bogus claim is put in to Ford and Ford doesn't catch it, your customer is happy and you're happy because you don't have to pay for it, correct? You're okay with it." The minister responds, "Well, if the customer benefits, obviously I'm okay with it."

Premier, what is your reaction to the Minister of Transportation, a minister of the crown, saying bogus warranty automobile claims are okay?

Hon Michael D. Harris (Premier): I don't have any opinion. I'd be happy, if you would like me to, to have somebody review the decision, see what context it's all in and report back to you.

Mr Wildman: I appreciate the Premier's response, since this is a matter of integrity and credibility. The minister in his testimony on page 233 of the transcript deals with the question of integrity. My question to the Premier is, if the Minister of Transportation can make

these kinds of statements, surely his integrity and credibility are in question. How can the people of Ontario have confidence in your government and your ministers, particularly the Minister of Transportation, when it's apparently okay with him to have laws broken?

Hon Mr Harris: I indicated that if you would like me to look at the transcript of some court case that took place long before the member was elected that dealt with a business he no longer has any dealings with, I'd be happy to take a look at that. I won't ask him to take a lie detector test, I can assure you of that.

But let me say this: If you are asking me, do I have confidence that the current Minister of Transportation is a person you ought to trust and have confidence in in doing the best to his absolute ability for every single person in the province of Ontario, I have that confidence. If you want me to look into the transcript of some court case of some event that took place some time ago in a former business, I'd be happy to take a look at it.

1450

CONSTRUCTION INDUSTRY

Mr Jean-Marc Lalonde (Prescott and Russell): I have a question for the Premier about his government's failure to protect construction jobs in eastern Ontario. The problem is very simple. Quebec construction workers are allowed to work in Ontario, but Ontario workers are kept from working in Quebec for a number of reasons. For example, a contractor in my riding recently was the low bidder for a \$100,000 job in Grenville, Quebec, but the job was given to a Quebec firm. The contractor from my riding was prevented from taking the job due to regulation designed to keep Ontario firms out of Quebec.

Premier, you are scheduled to meet tomorrow with Quebec Premier Bouchard. I assume that one of the items on the agenda is your government's failure to protect Ontario's construction workers from unfair competition with Quebec construction workers. Will you tell this House what information to support Ontario's position on construction jobs you have supplied to the Premier of Quebec in advance of tomorrow's meeting, and will you share that information with this House?

Hon Michael D. Harris (Premier): I know that the Minister of Labour and others have relayed, official to official, our concern with enforcement, if you like, and meeting the principle and the intent of the agreement that was signed by the former government on ensuring that barriers to trade in the area of the construction industry that you raise are eliminated. So that has taken place.

I have indicated to the first minister of Quebec that that's one of the items I would like to talk about, inter-provincial trade and barriers that are there, and so I hope we can make some progress. I would agree with the member that the situation is not perfect today, and the agreement that was signed by the former government is not perfect, but I will say this: It's better than what your government had or my government had previous to that, and it is a move in the right direction.

Mr Lalonde: What the Premier has just said — in a report released January 1996 from the Ontario-Quebec construction agreement committee, it states that no

problem has been reported. I would say this is false information.

Premier, you are very much aware that this issue affects thousands of Ontario workers. It has been raised repeatedly by the member for Cornwall, the member for Carleton East, the members for Ottawa East, Ottawa West, Ottawa Centre, Ottawa South and Renfrew North. I say to you very directly, if you do not return from Quebec with a firm agreement to protect thousands of Ontario workers, your meeting with the Premier of Quebec will have been a complete failure.

Next week I am introducing a private member's bill to deal with this issue. The bill is very simple. It calls for Ontario to impose the same rule on Quebec construction workers that Quebec imposes on our construction workers.

Will you make the following commitment: If you fail to resolve this issue tomorrow at your meeting with the Quebec Premier, will your government pass and implement my private member's bill to protect Ontario's construction workers?

Hon Mr Harris: Let me first of all apologize to the member that I was not aware you had a private member's bill detailing this. It is obviously my loss that I did not know that, and I will undertake to read your private member's bill before I go to Quebec to meet with Mr Bouchard.

Let me say this. Do I expect tomorrow to have an ironclad agreement that will resolve all the disputes? No, I don't expect that. I understand the agreement which I supported, signed by the former government, was not a perfect agreement, but it was a step in the right direction.

I might say that the honourable member did not mention Nipissing riding where we have concerns, Timiskaming riding where we have concerns as well, all the way up the Ottawa River, which many people forget goes right through to Lake Timiskaming. We all have these concerns. It is not perfect and I doubt it'll be perfect after my meeting tomorrow, but I hope we can make progress.

I want to say now in a very partisan way that your government and the former government up to 1985 did absolutely nothing.

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): Nineteen ninety-five.

Hon Mr Harris: Up to 1985. The former Conservative government and your government from 1985 to 1990 did absolutely nothing. You may criticize the NDP government that their agreement is not perfect, but it is better than anything that took place in the previous history of my experience here. I hope we can build on that and advance on that and that we can, not perfectly, not overnight, have freer trade with —

Interjections.

The Speaker (Hon Allan K. McLean): Order.

SEVERANCE PAYMENT AND TERMINATION

Mr Tony Martin (Sault Ste Marie): My question is to the Chair of Management Board in reference to a story that is causing us all some great concern, as it presents

some real, troubling inconsistencies and basic unfairness during the very difficult strike conflict you imposed on your workers in OPSEU.

Interjection: He imposed it?

Mr Martin: Yes, and he was adamant during that process that those workers not be dealt with fairly as they were looking forward to, by the thousands, being thrown out of their work. It was also very clear that he was not willing to go beyond the two weeks in severance pay for every year of hard-earned recognition.

Today we find out that on the other hand, in dealing with some of the more high-priced personnel in his government, he is offering a severance package of about \$160,000. What we over here want to know is, how do you square that? How do you make the case for this being in any way fair, or is this going to be the order of the day of your government, the way you deal with these very tragic and difficult situations?

Hon David Johnson (Chair of the Management Board of Cabinet): The first point I'd like to make is that I did not offer any severance package to anybody, and I will not comment in this Legislature or in public on any particular situation because that would not be fair to any individual involved.

But I will say that there is a policy in place to handle the severance payments, to handle, in general, the financial situation when a person leaves the civil service, and the policy in place today is one created by the previous government represented by the NDP.

Mr Martin: Help me get this straight. I understand why it is that you don't want to talk about this. I have to tell you, if it were me, I would be embarrassed. On the one hand, you don't want to deal fairly with the men and women who deliver all the services, clear roads and do all the very difficult, essential work we all depend on to keep this province going. You don't want to give them what they have rightfully coming to them. On the other hand, you're willing to offer \$160,000 to a different level of employee and, not only that, but another \$64,000 in salary and another \$37,000 in vacation pay. Explain to me again, Minister, how you think this in any way is fair.

Hon David Johnson: I'll explain a couple of things. In terms of the union, the union freely negotiated the contract with this government. The union ratified the settlement with the government through 90% of those who voted, so I assume that the union is happy with the settlement they achieved with this government.

I'll explain once again, to the extent that there have been any settlements involving non-union people, that the criteria that are in place were formulated by the previous government representing the NDP. As a result of various comments and situations, I have asked the Management Board staff to review the policy the previous government put in place with regard to severance to see if it is competitive and to see if it is in line with what is happening in the private sector and the broader public service.

1500

CAPITAL FUNDING FOR SCHOOLS

Mr Tony Clement (Brampton South): I rise to direct my question to the Minister of Education and Training.

As I announced earlier in the House, I have established a site on the World Wide Web as one way for my constituents to communicate with me. My Web site is www.clementmpp.org and it has allowed me to get direct feedback and suggestions via this new medium.

One of my constituents e-mailed me to voice his concern about the moratorium on capital funding by the Minister of Education. I'd like to take this opportunity to put his concern before you.

It's important to realize that Brampton is growing at an unprecedented rate. We now have a population of over 265,000 and expect that by the year 2006 our population will be 412,000. Consequently, our schools are being asked to handle more students. Enrolment at the Dufferin-Peel separate board has been one of the fastest-growing in the province. The minister's moratorium suspends one of the plans to put an extension on Loyola school and a school planned for Springdale in 1998.

My constituent is concerned because he feels that the moratorium on funding has made the board's planning more difficult. Minister, can you give any assurances regarding the future of necessary capital funding for schools?

Hon John Snobelen (Minister of Education and Training): I'd like to congratulate the member for Brampton South because I know the member is concerned about staying in touch with his constituents, and certainly having a Web site is one way of staying in touch. The member for Brampton South is well known for being in communication.

As to the member's question, we put a moratorium on new school construction over the course of the next year so as to assist school boards in finding the savings we believe can be found and that they believe can be found outside the classroom to mitigate the effects on the operating side. We are aware of the fact that there are pressures on the system for student placement across the province, particularly in high-growth areas.

I want to emphasize the fact that there have been portables attached to schools across this province for many years. Our way of building schools, our way of doing capital in this province haven't worked for students for a long period of time. This government is committed to doing a review of our capital program, looking at alternatives that are used in other systems around the world, including design-build, leaseback, the use of alternative structures, the whole gambit of methodologies of finding student places that are acceptable for young people in the province.

Mr Clement: Thank you for the answer, Minister. I remind the honourable members opposite that Peel is one of the highest growth areas in terms of school population. Are there any plans to ensure that Peel and similar regions can accommodate this growth?

Hon Mr Snobelen: I'd like to inform the member for Brampton South, who has been involved in a series of discussions with the Peel board and the Dufferin-Peel board, as have my other colleagues from that area, about capital, about building schools. I want to assure the member that I have been in contact with the Peel board and the Dufferin-Peel board about alternative methodologies of building schools, of putting students in proper

places for their education. We believe that those will be fruitful conversations, because both those boards in the past have made representations to the ministry with very innovative ideas about how to put up schools at the same time that houses are built. We believe that's what the people of Peel expect.

PETITIONS

SOCIAL ASSISTANCE

Mr John C. Cleary (Cornwall): I have a petition to the Legislative Assembly of Ontario.

"Whereas the Harris government wishes to eliminate people from receiving social assistance while attending school; and

"Whereas this presents an ongoing limitation on those already in a frugal existence;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To continue to allow social assistance recipients to receive benefits while attending school for the following reasons:

"We require the medical/dental plan for our families; OSAP debt would be overwhelming to repay; long-term diagnosis is that these students will be 'off the system' in approximately three years rather than never; the lack of jobs in the area means we must be more marketable to compete; and anyone undertaking the task of schooling while parenting and maintaining a home needs to be encouraged, not discriminated against for trying to become independent."

HEALTH CARE

Ms Marilyn Churley (Riverdale): This is a petition from a member of my constituency. It reads:

"Citizens for Choice in Health Care — a petition to the Legislature:

"To the Lieutenant Governor and the Legislative Assembly of Ontario:

"I, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"I request as a taxpayer and consumer that I be confirmed in the right to make an act upon my own choices with respect to medical and health therapies offered by all regulated health care professionals, particularly physicians, as long as I am not being harmed or at risk of appreciable harm.

"I request that the Legislature enact a Choice in Health Care Act to ensure that consumers and taxpayers will have meaningful choice and access to safe, effective and cost-effective health care that meets their needs, and that this legislation be modelled upon acts of this type already in place in such jurisdictions as the states of Alaska, New York, North Carolina, Oklahoma, Oregon and Washington. In particular, this act should establish the authority of true peer review and the standard of patient outcome.

"I further request that the government of Ontario take immediate action to terminate the pattern of abusive actions of the College of Physicians and Surgeons of Ontario which, contrary to their mandate and the public

interest, attack and punish doctors simply because they employ complementary medical therapies. This the college does to the detriment of medicine, the welfare of patients, the rights of consumers, the interest of taxpayers and my personal needs."

This is signed by Thelma R. Forsyth from 30 West Avenue in Toronto.

QUINTE-THOUSAND ISLANDS LODGE

Mr R. Gary Stewart (Peterborough): I have a petition signed by 991 concerned residents of the Peterborough area regarding the closure of the dining facilities in the Quinte-Thousands Island Lodge in Kingston. It reads:

"To the Parliament of Ontario:

"Whereas the management of the Kingston Regional Cancer Centre has decided to eliminate the existing kitchen facilities at the Quinte-Thousand Islands Lodge in Kingston;

"We, the undersigned citizens of Canada, do hereby petition the Parliament of Ontario to rescind this decision forthwith."

I affix my signature.

ALGONQUIN PROVINCIAL PARK

Mr Sean G. Conway (Renfrew North): I'm pleased to present and support a petition which reads in part:

"Whereas Algonquin Park is the jewel among Ontario's provincial parks, attracting more than 500,000 visitors annually to experience Ontario's wilderness heritage;

"Whereas the citizens who live in communities surrounding Algonquin Park work to enhance and protect the park;

"Whereas a recent decision was made by the Ontario Ministry of Natural Resources to contract out all campgrounds along Highway 60; and

"Whereas the said ministry has also announced the closure of the fire attack base at Whitney at the eastern gate of Algonquin Park, thereby reducing fire protection response and threatening the park and the safety of all people within the region;

"Therefore, be it resolved that we, the undersigned, demand that the Legislature of Ontario order a halt to the aforementioned ministry actions that threaten the future of Algonquin Provincial Park, including the commercialization of campgrounds and the cutbacks to fire protection."

This petition is signed by hundreds of my constituents living in and around Algonquin Provincial Park.

The Speaker (Hon Allan K. McLean): If I could have five seconds of the House's time, we have a visitor in the Speaker's gallery, Gino Matrondola, former member for Willowdale.

1510

MINISTRY OF NATURAL RESOURCES REGIONAL OFFICE

Mr Len Wood (Cochrane North): I have a petition that was forwarded to me from St Paul's United Church

in Cochrane and it's signed by the minister, Douglas J. MacKay.

"Because the moving of the Cochrane regional office of the Ministry of Natural Resources will necessitate an unneeded expenditure of taxpayers' dollars;

"Because recently a brief relocation of the MNR regional office has been submitted to the government by respected representatives of the town of Cochrane pointing out that there is available space in Cochrane for this office; and

"Because the economic base of the town of Cochrane has already been decimated by the removal of government ministry offices;

"We respectfully request that the government of Ontario, through the honourable Len Wood, MPP for Cochrane North, reconsider its decision to relocate the regional office of the Ministry of Natural Resources presently situated in Cochrane, Ontario."

As I said, it's signed by Douglas J. MacKay, Alice Anderson, Pierre Girard, Jennifer Holmes and about 20 other people. I affix my name to the petition.

DRINKING AND DRIVING

Mr John R. Baird (Nepean): I have a petition from residents of Barrhaven community, in the southern part in my constituency of Nepean, addressed to the Legislative Assembly of Ontario.

"Whereas drinking and driving is the largest criminal cause of death and injury in Canada;

"Whereas every 45 minutes in Ontario a driver is involved in an alcohol-related crash;

"Whereas most alcohol-related accidents are caused by repeat offenders;

"Whereas lengthy licence suspensions for impaired driving have been shown to greatly reduce repeat offences;

"Whereas the victims of impaired drivers often pay with their lives while only 22% of convicted impaired drivers go to jail, and even then only for an average of 21 days;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We urge the provincial government to pass legislation that will strengthen measures against impaired drivers in Ontario."

Because I am in agreement, I have affixed my own signature thereto.

PUBLIC SERVICES

Mr John Gerretsen (Kingston and The Islands): I have a petition that's addressed to the honourable Lieutenant Governor and the Legislative Assembly of Ontario and it deals with the government's plan to privatize.

"Whereas the Ontario government plans to sell off public services to corporations who will run them for profit; and

"Whereas after the corporate takeover it will be strictly user-pay for the services we now depend on; and

"Whereas our clean air and water standards and worker safety rules are being relaxed because corporations don't like rules that interfere with profits; and

"Whereas privatization is being sold as a way to save tax dollars, even though large corporations pay little or no taxes, while individual Canadians pay most of the tax bill; and

"Whereas Bill 7 was introduced in the interests of facilitating its privatization agenda by stripping public sector workers of their rights to retain fair working conditions when services are transferred or privatized;

"We, the following citizens of Ontario, beg leave to petition the Parliament of Ontario to abandon the selloff of Ontario's public services and reinstate successor rights for public service employees."

I have affixed my signature to it.

COLLEGE OF TEACHERS

Mr Bill Murdoch (Grey-Owen Sound): I have a petition to the Ontario Legislature.

"Whereas the public secondary teachers of Ontario have taken a workplace democracy vote in accordance with Bill 7 and have rejected the proposed College of Teachers by a 94.8% vote;

"We, the undersigned, urge the provincial assembly to instruct the government to withdraw Bill 31, the Ontario College of Teachers Act, 1995."

NON-PROFIT HOUSING

Mr Alvin Curling (Scarborough North): I have a petition to the Legislative Assembly of Ontario.

"Whereas the Ontario government has clearly indicated that it 'wants to get out of the housing business'; and

"Whereas the Ontario government is reviewing the legal contracts and budgets of every co-op housing project in the province; and

"Whereas the Ontario government has announced plans to make huge cuts to co-op and non-profit housing funding; and

"Whereas the Ontario government wants to replace affordable housing with subsidies to private landlords; and

"Whereas co-op housing is a proven success in providing affordable homes owned and managed by the people who live in them; and

"Whereas the actions of the Ontario government threaten to destroy stable, well-maintained communities which have been built over the last quarter of a century and the investment all Ontarians have made in this type of affordable social housing;

"We, the undersigned, request that the Ontario government sit down with the co-op housing sector to negotiate a deal which will ensure the long-term financial viability of housing co-ops and the continuance of rent-geared-to-income assistance upon which thousands of co-op members depend, and which will promote greater responsibility for administration by the co-op housing sector and less interference by the government in the day-to-day operations of housing co-ops."

There are members who have affixed their signature to this, and I will do so.

The Speaker (Hon Allan K. McLean): Further petitions, the member for Oakville South.

Mr Gary Carr (Oakville South): Thank you very much, Mr Speaker. I am glad you got to me. My mother is here today, and I'm glad she's here, as well as my aunt from California. I know I'm not supposed to announce that during the petition.

MINISTRY OF NATURAL RESOURCES REGIONAL OFFICE

Mr Gary Carr (Oakville South): This is on behalf of the people in Leeds-Grenville.

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas the Ontario Ministry of Natural Resources has announced the closure of the Brockville office,

"We, the residents of the community, urge the government of Ontario to reverse this decision so that the Brockville area office may continue to provide the services required for the management of the natural resources in the united counties of Leeds and Grenville."

That is signed by about 2,500 people in the Leeds-Grenville area and tabled on behalf of the member, who is the minister, and as I understand it is not able to table that.

VIDEO LOTTERY TERMINALS

Mr James J. Bradley (St Catharines): I want to first congratulate the member for Oakville South for performing so well in front of his mother and his aunt. Now I will present my petition, which reads as follows:

"Since video lottery terminals will contribute to gambling addiction in Ontario and the resulting breakup of families, spousal and child abuse and crimes such as embezzlement and robbery; and

"Since the introduction of video lottery terminals across Ontario will provide those addicted to gambling with widespread temptation and will attract young people to a vice which will adversely affect their lives for many years to come;

"Since the introduction of these gambling machines across our province is designed to gain revenue for the government at the expense of the poor, the vulnerable and the desperate in order that the government can cut income taxes, to the greatest benefit of those with the highest income;

"Since the placement of video lottery terminals in bars in Ontario and in permanent casinos and various locations across the province represents an escalation of gambling opportunities; and

"Since Premier Harris and Finance Minister Eves were so critical of the provincial government becoming involved in further gambling ventures and making the government more dependent on gambling revenues to maintain government operations;

"We, the undersigned, call upon Premier Harris and the government of Ontario to reconsider its announced decision to introduce the most insidious form of gambling, video lottery terminals, to restaurants and bars in this province."

I affix my signature to this petition, as I'm in agreement with it.

COLLEGE OF TEACHERS

Mr Toby Barrett (Norfolk): I wish to present a petition to the Ontario Legislature.

"Whereas the public secondary teachers of Ontario have taken a workplace democracy vote in accordance with Bill 7 and have rejected the proposed College of Teachers by a 94.8% vote,

"We, the undersigned, urge the provincial assembly to instruct the government to withdraw Bill 31, the Ontario College of Teachers Act, 1995."

I affix my signature to this petition.

BUILDING CODE

Mr John Gerretsen (Kingston and The Islands): I have a petition on behalf of all those individuals who are concerned about the reduction of building standards in the province of Ontario. It's addressed to the Premier, Minister Al Leach and members of the Ontario Legislature.

"Whereas accessibility is a right and not a privilege; and

"Whereas changes your government has suggested to the Ontario building code threaten to remove that right for thousands of Ontario voters; and

"Whereas we oppose any change that would limit the scope of the building code regulations dealing with accessibility; and

"Whereas" your "government's proposal, Back to Basics, would eliminate 20 years of progress towards accessibility for people with disabilities; and

"Whereas accessibility is a principle of the Ontario building code that must be preserved and improved upon;

"Therefore, we, the undersigned, call upon the Legislature to reconsider your government's position on this issue."

I've affixed my signature to it.

GASOLINE PRICES

Mr James J. Bradley (St Catharines): I have a petition from a number of people in Ontario which reads as follows:

"Whereas since March 1996, gasoline prices have increased on average a dramatic 10 cents a litre, which is over 45 cents a gallon; and

"Whereas this increase in the price of gasoline has outpaced the rate of inflation by a rate that is totally unacceptable to all consumers in this province because it is unfair and directly affects their ability to purchase other consumer goods; and

"Whereas Premier Mike Harris and Consumer and Commercial Relations Minister Norm Sterling, while in opposition, expressed grave concern for gas price gouging and asked the government of the day to take action;

"We, the undersigned, petition Premier Harris and the government of Ontario to eliminate gas price fixing and prevent the oil companies from gouging the public on an essential and vital product."

I know all members of this assembly would agree with this petition and I affix my signature to it.

1520

IPPERWASH PROVINCIAL PARK

Mr Bud Wildman (Algoma): On a point of order, Mr Speaker: I rise to request unanimous consent from the members of the assembly for an emergency debate around the circumstances and the controversy over the Ipperwash incident that led to the death of Anthony (Dudley) George as a result of actions at the gate of the park.

This is a very grave situation and I think it's important that we have a full and clear debate so we can clear the air and ensure that all members of the House and the public know what role, if any, there was by members of the government in the decisions that led to the police action at Ipperwash.

The Speaker (Hon Allan K. McLean): The leader of the third party has asked for unanimous consent. Do we have unanimous consent? We do not have unanimous consent.

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): On a point of order, Mr Speaker: I would like to put a few remarks on the record with respect to the point of order raised by the leader of the third party.

Currently there is an SIU investigation ongoing, as I'm sure he and other members are aware. The government would be more than pleased to discuss with the opposition parties, once that investigation is completed, what the most appropriate form of action would be at that point in time, but we really do feel it is important that that investigation is completed first.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON
SOCIAL DEVELOPMENT

Mr Gerretsen from the standing committee on social development presented the following report and moved its adoption:

Your committee begs to report the following bill, as amended:

Bill 34, An Act to amend the Education Act / Projet de loi 34, Loi modifiant la Loi sur l'éducation.

The Speaker (Hon Allan K. McLean): Shall the report be received and adopted? Agreed.

Shall Bill 34 be ordered for third reading? Agreed.

STANDING COMMITTEE ON
REGULATIONS AND PRIVATE BILLS

Mr Barrett from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr34, An Act respecting the City of Ottawa

Bill Pr47, An Act respecting the City of Ottawa

Bill Pr48, An Act respecting the City of Ottawa.

The Speaker (Hon Allan K. McLean): Shall the report be received and adopted? Agreed.

INTRODUCTION OF BILLS

TOWN OF RICHMOND HILL ACT, 1996

Mr Klees moved first reading of the following bill:
Bill Pr61, An Act respecting the Town of Richmond Hill.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

ORDERS OF THE DAY

INTERNATIONAL FUEL TAX AGREEMENT IMPLEMENTATION ACT, 1996

LOI DE 1996 METTANT EN OEUVRE L'ACCORD APPELÉ INTERNATIONAL FUEL TAX AGREEMENT

Resuming the adjourned debate on the motion for second reading of Bill 48, An Act to implement the International Fuel Tax Agreement / Projet de loi 48, Loi mettant en oeuvre l'accord appelé International Fuel Tax Agreement.

The Speaker (Hon Allan K. McLean): Does the third party have any further debate? Are we ready for the question?

Mr Johnson has moved second reading of Bill 48. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading? Agreed.

Hon Jim Wilson (Minister of Health): Mr Speaker, I believe we have unanimous consent to do third reading of Bill 48.

The Speaker: Agreed? Agreed.

Mr Wilson, on behalf of Mr David Johnson, moved third reading of the following bill:

Bill 48, An Act to implement the International Fuel Tax Agreement / Projet de loi 48, Loi mettant en oeuvre l'accord appelé International Fuel Tax Agreement.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

ONTARIO HIGHWAY TRANSPORT BOARD AND PUBLIC VEHICLES AMENDMENT ACT, 1996

LOI DE 1996 MODIFIANT LA LOI SUR LA COMMISSION DES TRANSPORTS ROUTIERS DE L'ONTARIO ET LA LOI SUR LES VÉHICULES DE TRANSPORT EN COMMUN

Mr Ouellette, on behalf of Mr Palladini, moved third reading of the following bill:

Bill 39, 'An Act to amend the Ontario Highway Transport Board Act and the Public Vehicles Act and to make consequential changes to certain other Acts / Projet de loi 39, Loi modifiant la Loi sur la Commission des

transports routiers de l'Ontario et la Loi sur les véhicules de transport en commun et apportant des modifications corrélatives à certaines autres lois.

The Speaker (Hon Allan K. McLean): The member for Oshawa has the floor.

Mr Jerry J. Ouellette (Oshawa): I am pleased again to have the opportunity to speak to this bill. The week before last, the resources development committee had public hearings on this bill. I was encouraged to hear a great deal of support for the government's approach on this issue for the bill and for deregulation itself.

Our first witness, Mr Jim Devlin of Trentway-Wagar, told us: "Bill 39 is a bill that is...10 or 12 years overdue. Bill 39 brings to the regulated industry a way to deal with a lot of the things that are wrong and have been wrong for many years....The system is very much broken and has been broken for some time."

This government agrees, which is why we are moving towards deregulation with an interim period as set out in Bill 39. Many times in the past months we have heard how regulation must be preserved, based on the claim that it guarantees service to small communities through cross-subsidization of unprofitable routes by profitable routes.

This may have been the case when regulation was first introduced in the 1920s but it has not been the case for many years, and the reason is simple: Licence holders were simply allowed to abandon communities they no longer wished to serve, without any impact on their other routes. This is how over 400 communities in Ontario lost intercity bus service between 1980 and 1995.

The fact was confirmed at committee by Dr Mark Bunting of PM Bunting and Associates, a transportation economist and policy analyst. He said: "For many years we relied on the regulatory bargain which protected intercity runs in exchange for service to smaller communities. This bargain doesn't operate any more. We can't rely on regulation to ensure service to small communities. That can't be an argument for maintaining regulation."

I certainly hope the expert testimony we heard at committee will put to rest the claims of the opposition about cross-subsidization. The simple fact is that over the past several decades, under governments of all political stripes, that arrangement has broken down. To restore that system forcing carriers to take up routes they did not want to serve would necessitate a massive government intervention in the marketplace and, frankly, would not be consistent with the way Ontario, Canada and the rest of the world are headed. Freer trade and less economic regulation is the way of the world now. We do our industries and our citizens no favours in denying this fact.

This was confirmed at committee by Mr Brian Crow of the Ontario Motor Coach Association, who said: "Over the past five years, OMCA has tried to get our members to read...the writing on the wall as it applied to economic regulation. There is a global movement towards deregulation. Other transportation sectors, as well as other industries, have been deregulated."

I think it's fair to say that there has been a little fearmongering around this issue by the opposition and unions. This government is accustomed to this by now, and we are obliged to set the record straight.

1530

First, as we have seen with regulation, no regulatory system can guarantee service. This is reality. Second, several witnesses told us that rural Ontario and northern Ontario would not lose services, witnesses such as Rick Walsh of Walsh Transportation. He said:

"The fact that rural Ontario would lose service, as suggested by some of the big line carriers, in my opinion is false. An example of this: Even though the Ontario Northland Transportation Commission is subsidized throughout northeastern Ontario with my dollars, I run a limousine service daily from Kirkland Lake and the Tri-towns to Toronto, Sudbury and North Bay. The ridership is good; it's increasing. We also run a division in North Bay called Northern Airport Service, where we run two daily trips from North Bay, Powassan, South River, Huntsville and Bracebridge to Pearson International Airport."

As to the claim of the so-called Freedom to Move Coalition that communities such as Bracebridge, Huntsville and Kirkland Lake would lose service, Mr Walsh said:

"I think that not only won't they lose service, but they'll have more service.... For example, in the first week of July or June we're going to be starting service — where we were running limousine services from Kirkland Lake to Toronto, we're upgrading our licence.... So if anything, service to the communities you've mentioned, as far as we're concerned, will only get better."

The committee heard an excellent presentation from Transportation Action Now, a disabled advocacy group that encourages the government to keep its commitment to the disabled. We will do so. However, I have looked into this issue a bit further and I must say that the disabled community has suffered somewhat at the hands of the federal government.

In 1993, after a two-year inquiry, the National Transportation Agency recommended a federal regulation under the National Transportation Act that would ensure 100% lift-equipped buses. This was based on the assurance that there would be a continuing government subsidy to industry. However, the federal government's transportation policy has drastically changed in the past two years in that it is no longer providing subsidies.

As Mr David Baker of Transportation Action Now told the committee:

"There was a feeling that it would be useful to have a national standard. There was preliminary agreement to a standard....

"Unfortunately, what's happened since 1993 is that there's a change in the federal government and also a change in the Quebec government. There is no longer a consensus for a national standard and each province is left to go its own way."

This government is committed to continuing to work through Transport Canada's advisory committee on accessible transportation to find a voluntary industry/user-based solution to this issue. I understand that at a meeting in March of this year significant progress was made. A follow-up meeting is planned for late September in Toronto.

This government is committed to fulfilling its promise on accessible intercity buses; however, Bill 39 is aimed at established an interim regime of economic regulation, not at issues such as accessibility. Bill 39 is not the appropriate time or place to deal with this issue. For example, issues of accessibility, facilities and the training of staff at those facilities are clearly beyond the scope of the Public Vehicles Act. Further, much of Bill 39 will be replaced in anticipation of deregulation. It is not the proper venue for addressing accessibility. A more appropriate place would be in the disabilities legislation that this government has committed to introduce.

A concern we heard, largely from opposition members, was how Bill 39 does away with the appeals of transport board rulings. Keeping appeals to a minimum in this interim period prior to deregulation is absolutely essential. What could happen in this period is that the appeal process could be used as an instrument of delay by one carrier against another until full deregulation occurs. Although there may be a diversity of use within the industry about Bill 39 and deregulation, the industry spoke with one single voice on this issue: the rehearing provision is not needed and all unnecessary appeal mechanisms would compromise the effectiveness of the interim regulatory system.

Another key feature of the interim period is keeping costs of economic regulation low and paid for by the industry. This is why much of the industry preferred written hearings. Unless credibility is directly at issue, natural justice should be met by written hearings.

Although the position of the industry was not unanimous, there was some concern expressed about Ontario going it alone on deregulation. Some carriers are concerned that they will not be able to compete with carriers from provinces that continue to be regulated.

The federal government has stated its preference for deregulation of intercity busing. The province will use the interim period to persuade the federal government to follow through on its commitment and attempt to persuade other provinces to harmonize with Ontario.

However, I would like to be clear that all it takes is for the federal government to deregulate; then all intercity provincial carriers will be deregulated whether the home provinces are regulated or not. If the federal government deregulates, it doesn't matter what Manitoba or Quebec wants. They will not be able to keep our companies out.

The opposition has raised concerns about safety of intercity buses in a deregulated environment. First, this bill is only about economic deregulation, not safety deregulation. As is clear from the government's introduction of the road safety plan last fall and its tabling of legislation earlier this week, we are getting tough with operators of commercial vehicles, be they trucks, buses or anything else that makes money on our roads.

Finally, the opposition's fearmongering about layoffs at the Ministry of Transportation does not apply to safety. This government has hired additional enforcement officers the previous government allowed to be lost through attrition, and we will be hiring even more.

I believe Bill 39 will result in what the Minister of Transportation has always intended to occur: an orderly

transition to deregulation for the benefit of the riders and the intercity bus industry of Ontario.

The Deputy Speaker (Mr Bert Johnson): Comments and questions? Further debate?

Mr Mike Colle (Oakwood): In terms of Bill 39, which is a bill that regulates and then deregulates — I'm not sure what it is; there's essentially an air of confusion about this bill — I want to make some things clear. First of all, one of the most upsetting things about this bill is that the disabled community and disabled community advocates across Ontario are very upset that this government and that committee refused their amendment. They asked that an amendment be brought forward that would essentially carry through with a promise the Premier made to this community before the election.

The Premier of this province, Mike Harris, made a very strict and explicit promise to the disabled community. He said, during the 1995 campaign, "A Harris government would work to ensure that all new intercity buses purchased in Ontario are fully accessible." That amendment was brought forward at committee and the government members turned it down.

I think that is unconscionable because it is an explicit promise made to this community before the election. The Premier of this province made that promise and this is probably one of the reasons he got elected, because he promised to address this issue. Bill 39 has not included a provision for intercity buses to be accessible, and that denies a large percentage of Ontario residents the right to mobility through intercity buses.

The advocacy group for disabled transportation, Transportation Action Now, issued a press release today where it again said, "During the 1995 election Mike Harris promised persons with disabilities and seniors: 'A Harris government would work to ensure that all new intercity buses purchased in Ontario are fully accessible.'" Bill 39 refused to do this. In other words, here's the first opportunity this government had to make good on Mike Harris's promise, and this government and this bill categorically turn down this promise and commitment the Premier made to the disabled community of Ontario.

The Minister of Transportation has refused to meet with this group. As the press release said:

"Given an opportunity to review the issue before third reading, the government has elected to slip the bill through. In doing so they have declined Transportation Action Now's request for a meeting with Minister Al Palladini. The government gave the public less than two hours' notice of their intention to rush the bill in for third reading so that no one in a wheelchair could be present to hear the debate."

The disabled community can't even be here for the third reading. They feel this is denying them accessible transportation on buses. It's especially irksome to them because they were promised by Mike Harris that intercity buses would be accessible. That was a very specific promise he made. The Premier of this province, before the election, knew this was a very serious issue for the disabled community, and I'm sure he investigated this issue. Therefore, in writing he made this promise to the disabled citizens of this province, and yet he is now saying no. In other words, he's breaking a very clear

promise. I wonder whether the Premier of this province will resign because he's broken this clear commitment to disabled citizens across this province.

1540

This is a serious matter, and Bill 39 has not addressed this critical concern that disabled and physically challenged people have across Ontario. That is certainly one of the reasons why, on our side, we will not support Bill 39, because it breaks this promise to the people of Ontario who are taxpayers and deserve a right to fair and equitable mobility in the towns and cities across Ontario. So I don't know how the members across could support this bill, especially when it breaks a commitment that the Premier made himself to the disabled community in this province of Ontario. Bill 39 contradicts that promise 100%.

Another amendment that we proposed which I thought was very meaningful — in fact, it was supported by a lot of the industry. In other words, the busing companies thought it would enhance safety and protection for the public if the insurance and liability level for insuring bus carriers were raised. Right now you can get insurance for operating a bus in Ontario with about the same amount of liability that an ordinary motorist has for their private automobile. It is not sufficient.

I know we had deputations saying that the insurance liability level should be raised to a minimum of \$10 million so that the 40 to 50 passengers on a bus could be protected if there's an accident. The government side refused to raise the minimum level; right now it remains at a nominal level, where you could be in a bus accident and you only have this limited insurance liability, which is adequate only for private automobiles. The government had an opportunity to listen to the deputants; it refused to listen.

Another very important amendment, suggested by the deputants again, was about the safety audit. Right now under Bill 39 you have to submit a complete safety audit six months after receiving your licence. The request we made and many members of the industry made is that that safety audit should be presented when you get issued your licence. Why the six-month delay? Again, this was something advocated by the deputants that came before the committee. They said that if you really wanted to get serious about bus safety, this would be one way of doing it: immediate safety audits when the licences are presented. The government refused to listen to this safety suggestion.

As we know, last week there was an intercity bus that lost two wheels on the 401. Just as our trucks are losing wheels, we have our buses losing wheels also. So safety is a very serious concern, and Bill 39 refused to address these safety issues. They're leaving thousands of bus passengers in the lurch to those bus carriers that are not fulfilling their commitments. The vast majority of them, the good bus carriers, wanted to increase the safety features, wanted a higher insurance liability premium, wanted this safety audit. This government has said no. So how can they be speaking out of both sides of their mouth, saying no to the safety audit and no to higher insurance liability maximums? On top of that, they're also saying no to the disabled community, which asks for

the same basic rights as able-bodied Ontarians get on buses.

Another very disconcerting aspect of Bill 39 is, here's the bill that essentially takes away the right of appeal of this board. This is essentially going to be a one-person board. That person's decisions will be final. So if you're a bus operator, or you're the mayor of Stratford, anybody who wants to appeal the decision of this one-person board has no right to appeal. This is contrary to every precept in Ontario legal precedence.

You should have a right to appeal a board decision. This Bill 39 takes that right away. You can't go to cabinet. You can't go to divisional court. You have to rely on the superintelligence of one person and hope that he or she is right. No right to appeal, and this is not a very democratically fair part of Bill 39.

Some of the previous concerns about Bill 39 also are that this bill, in essence, shows the absurdity of the government's position. What the government has done is it has said to the neighbours in the States — Michigan, Ohio — to our Quebec neighbours and to our Manitoba neighbours that Ontario will deregulate completely by January 1, 1998. So what it means is that Quebec or Manitoba or our southern neighbours are going to wait the next year and a half, two years, for us to deregulate; then they will come in here and encroach upon Ontario businesses. So why would you warn them in advance so they could wait and not do anything and anticipate that on January 1, 1998, they're going to come in here because they know this government has stated categorically they're going to deregulate on January 1, 1998?

I don't know if you realize what is happening to many Ontario companies, not only in busing, but essentially they're raiding Ontario business centres. If you go to Pearson airport, most of the bus carriers in Pearson are Quebecers, Quebec-owned companies. If you own an Ontario bus company, you try to get into Dorval. You can't get in there. There are no equal rights for Ontario companies. Yet this government is going to leave Quebec companies the opportunity to raid all of these Ontario business centres.

If you live up in the Ottawa Valley — I know my colleague from Prescott-Russell says in Hawkesbury and those areas, they're going to be killed by deregulation allowing for Quebec bus entrepreneurs to come in and take business away from Ontario.

It's going to happen with the American carriers.

The Manitoba carriers will raid our businesses because of deregulation, because we've told them that's the day it's going to happen. So they're going to wait. They're not going to deregulate, because Manitoba stated categorically they're not going to deregulate. Quebec has stated categorically they're not going to deregulate.

We're going to be open to this raiding and poaching by these jurisdictions outside of Ontario. That's what this bill does. It puts Ontario carriers at a great disadvantage. Especially when you're in a very competitive business, this is most difficult.

Another thing that is very difficult about this bill is that the government has rushed ahead with this new approach with no business impact study. I've asked them repeatedly to do an impact study. What does this mean to

our carriers? What does it mean to the small communities across Ontario? What does it mean to small business in these small communities when you close down bus stations, you get rid of bus routes, when you deregulate? What does the future process of this bill do to businesses in Ontario, communities in Ontario?

They have not done this study. All they do is point to a very anecdotal fact saying that 400 communities across Ontario have lost bus service over the last 15 years. There is no analysis of why those 400 communities lost the bus service. They don't know why because they never examined the reasons. Is it because a factory closed? Is it because other centres grew in population? Is it because of road conditions? They've done no analysis of why this happened.

They've done no analysis, for instance, of what happened in the United States. In the US, when the Teflon president, Ronald Reagan, deregulated, half of the communities served by bus in the United States lost their service. Out of 11,000 communities serviced by intercity bus in the United States, under deregulation over 5,000 American communities lost their bus service with deregulation, and I asked the government to find out if this were to happen here. All they say is, "Trust us." The invisible hand will somehow ensure that deregulation will be a bonanza for everyone.

1550

As you know, a lot of people in the industry do not agree with deregulation, they don't like Bill 39, and these are hard-nosed, free-enterprising business people. They say this bill stinks and they say deregulation makes no sense: no business sense and no common sense.

Mr Gerry Martiniuk (Cambridge): Name them.

Mr Colle: PMCL is one for sure; the Dubeau family, who have been in this busing business since the turn of the century, and you ask Mr Laval Dubeau. He'll tell you this bill stinks and deregulation isn't all it's made out to be and there are problems with it. You talk to other people in the industry and they have very serious doubts about where this government is going because they essentially have not done their homework. That's why they had to backtrack.

They first announced there was going to be total deregulation. Then they came up with this bill, which was sort of a backtrack to try and cover their traces because they'd made major mistakes, because they forgot to put in the equation the fact that Quebec is still not deregulated and they couldn't persuade Quebec to deregulate. So this bill is an attempt to cover up their steps in their mistaken approach.

I should mention, in terms of this whole bill as it relates to safety and inspections, that right now we're getting reports on the roads of Ontario that OPP officers are now manning roadside inspection stations. They're so short of MTO staff people that OPP officers have to fill in at these inspection stations. So who is going to enforce the safety regulations of these buses across Ontario when they don't even have enough MTO people in the inspection stations? Who is going to inspect these buses to ensure they meet safety requirements?

I say that a lot of people who came before us in the deputations are worried about the safety of these buses,

especially when it comes to deregulation, because we know the history of deregulation as it relates to truck deregulation. When truck deregulation came to Ontario, it basically meant the reins were taken off safety, and you know the history of trucking after deregulation. Safety has become a horrendous embarrassment to this government.

Finally the minister recognized he had to do something about truck safety. After a year of telling him that he had to do something, he finally did it. How many wheels have to fall off the trucks? He finally did something when it was as obvious as the nose on his face that the trucking industry in this province is not safe, and now we've got a minister going into bus deregulation and the same thing is going to happen. With deregulation, they are putting Ontario passengers at risk because there are not going to be enough inspectors, the limits aren't going to be high enough in terms of liability and there's no safety audit required when you get your licence, so therefore safety is not an important part of Bill 39. It's taken a back seat, literally, in Bill 39.

I wonder how many bus accidents will occur because of deregulation as they go down that road, because what happens with deregulation is that everybody tries to enter the business to make a fast buck. As one of the deputants told us, there are people with 20-year-old buses that are ready to go when deregulation comes in, and when these 20-year-old buses get patched up with baling wire and whatever and they're on the roads of this province because of deregulation, I wonder how many of these buses are going to be safe. I wonder how many bus wheels will come off.

That is what the threat is of a bill like Bill 39 and what happens after Bill 39, because the government has refused to look at the history of deregulation and what it means to safety and what it means to communities, the economic and safety impacts.

That's why this bill is especially odious when it doesn't take safety seriously and, secondly, when it refuses to acknowledge a commitment made to the disabled people of this province where specifically the Premier of this province said, "I will do everything I can to ensure that all future intercity bus purchases in Ontario are fully accessible." You have a bill about intercity buses. That is missing. He has broken his promise to the disabled people of this province. They have all kinds of excuses. The disabled community has brought forth this amendment. They rejected the amendment and basically broke this promise to the disabled community.

That's why we oppose this bill, because of the fact it breaks faith with people and it goes into uncharted waters. It puts an industry at risk and it puts the passengers and cities and communities across Ontario at risk because it hasn't looked at the impact of deregulation and this bill and what it really does to real people.

The Deputy Speaker: Questions or comments? Further debate?

Mr Gilles Pouliot (Lake Nipigon): I thank you. Merci, Monsieur le Président, et bon après-midi à vous.

I understand that we have a tacit commitment, unanimous consent, and I'm seeking that consent, that commitment, to have our caucus split the time and to do so in succession.

The Deputy Speaker: Agreed? It is agreed.

Mr Pouliot: Let me at the beginning make our position clear on Bill 39, which is an interim measure. In fact, it spells out the explicit intention of this government to deregulate the intercity bus industry effective January 1, 1998. For a myriad of reasons, our caucus will oppose the bill.

Simply put, you ask yourself questions when the government du jour, the government of the day, comes forward and talks about deregulation. At present under a regulated system that has been the order of the day in the province of Ontario since 1920, an operator makes money by way of operating the most lucrative route; take the Toronto-Ottawa route or the Peterborough-Toronto or the Toronto-Niagara Falls. In exchange for making money on those lucrative routes, you have the responsibility to provide service to the remote and smaller communities in this vast and magnificent land.

You are well aware that more than 850 communities are part of the province of Ontario. When you travel by bus, you never travel first class. When you travel by bus, you're always in the "democratic" class.

Who will benefit by deregulation? Oh, a few well-acquainted, -positioned people, people who associate with the rich and maybe with the government of the day, lobbyists with a set of wheels, people who are only too willing to tap the marketplace, and some good, well-intentioned, serious operators. Unfortunately, operators of all sorts are just waiting to get their piece of the action.

More important, in this endeavour of winners and losers, who will lose? You've guessed it: people who are dependent on the system, who do not have an alternative, quite often people who do not have the means to drive a car, or people who do not have the facility, because of health problems, to drive a motor vehicle; the poor, people who cannot afford to go from point A to point B looking for work, seeking medical services, visiting relatives, and must use bus transportation — it's more economical and also commonsensical, the only way to go, the only way they can go — the marginalized, those who have less; the students going to their small community, yet there are no bus services to take them to and from so they can go back to post-secondary education.

1600

Those are the perennial and residual losers, because it has been decreed by the Progressive Conservative Party of Ontario, by the government in Ontario, that we must adhere to the Mulroney syndrome — example, air deregulation — and the ideological bender of Thatcher and Reagan vis-à-vis bus deregulation. "Why not follow suit? Those are the people we court. The very political air we breathe is based on those philosophies, so we must, like lemmings, whether it works or not, adopt the policy of the ostrich, that we bury our head in the sand and the rest of us is exposed to all winds. It doesn't matter, as long as we're on the 'right' track." So we grease the tracks, we lure, we entice a few of our friends. The populace doesn't matter.

The argument here doesn't make the weight. The sister provinces of Manitoba to the west — and they can hardly be accused of being New Democrat — and Quebec to the east have refused to deregulate. Consequently, we open

the doors to all kinds of entrepreneurs, Ontario-based, of course, but western- and eastern-based as well, and those people are poised and they will come calling for our clientele.

I've made this example before, and it's filled with validity. Picture this: a day like today, June, July, a plane comes from Europe to Pearson, of course, and with all the bells and whistles afforded a Prevost vehicle — almost, for tourists, opium you smoke with your eyes. They're delightful vehicles. Who would not be seduced? So you board the bus, you go to Niagara Falls for as long as the river flows, and the chef de mission says: "Okay" — the whistle blows — "you've had your two hours at Niagara Falls. Back on the bus. Eight days in Quebec City."

But you can't go to Dorval or Mirabel and reciprocate, because they are regulated. It's not a matter of, "Scratch my back and I'll scratch yours." This is a one-way invitation to come and raid without having to do so at your own peril — a one-way street. The proverbial one-way street has reached the marketplace. This is what the minister and his cohorts are doing by way of Bill 39. They're setting the table. The feast will be by invitation only, RSVP, and only for a few. The populace, the people who use this system — well, they'll get the crumbs. And one more time, if these people have their way, people will not have a say.

It does grieve me a great deal that one more time those who don't have the tools to defend themselves. It does grieve me a great deal that those who don't have the ammunition are left fighting the steamrollers emanating from this government. But don't take my word for it. Let others speak, those who don't have a voice inside these walls.

Mr Chris Stockwell (Etobicoke West): Like me. *Laughter.*

Mr Pouliot: The voice of Transportation Action Now is hardly a laughing matter. This is what they say: "Prior to his election as Premier, Mike Harris stated in response to a written question from our organization" — and this is a quote from the now Premier Mike Harris — "a Harris government would work to ensure that all new intercity buses purchased in Ontario are fully accessible."

That was during the days of soliciting, during the course of the election, when the Premier was trying to sell the hardest commodity as he was knocking on doors, that being trying to sell himself for the favour of the voters. He said that if he did not honour the response — because they were to be so different — he would do the honourable thing, that while he had an ounce of dignity left, he would resign. Those people are far too polite, far too ethical, to tell him, "Mike, get the heck out, because you have not respected your engagement towards the disabled, towards people who are trying to join Ontario's main life," if you wish. They're trying to be like you, trying to be like us, they're trying to be mobile, trying to participate, to integrate more fully. What they're saying is that this guy there, they placed a lot of faith in him during the election time. He's quite presentable, and some of them believed what he was saying. He perspired sincerity, and you can see the perspiration. I guess if you can fake sincerity, you can fake anything.

Mr Stockwell: Oh!

Mr Pouliot: I don't know. I'm not imputing motive, but there's a world of contradiction, a difference between what was said and what is being done or not done.

1610

They go on to say, "My questions to you today are" — this is the pleading voices of people who are physically challenged, in unison — "does the Mike Harris government support the integration of people with disabilities in the mainstream of Canadian life? If so, as part of that commitment, will you ensure barrier reduction to bus transportation services for people with disabilities? How can you ensure that this happens except by regulation? If the Harris government does support barrier-free bus transportation, will the minister" — that's pal Al, Mr Palladini, whose jurisdictional capacity ensures the deregulation that's about to come; so they're talking about him, Al Palladini — "ensure that people with disabilities are accommodated"?

There's another contradiction that I want to share with you: Mr Palladini never consulted with any user group. He was in hiding. How would he know if he doesn't ask and if he doesn't listen? I guess when you rule by decree, when you dictate, groups and lobbyists only slow things down. They get in the way. They complicate matters. So we steamroll. There's no need to listen to them.

Then the audacity. You go beyond. Mr Palladini is quoted as saying, and here's the quote, "Government has no business in telling bus companies how to run their operations except in the area of safety." In other words, if you're disabled or spokespeople for a disabled organization, you're waved aside; you're left twisting; your voice is not heard; you don't have the pleasure of an audience; you don't get to kiss the ring; you're discarded. You might be thrown in the ditch, if one were to go further. You don't count.

They have decreed that people with disabilities will not be — there will be no regulation. So you won't have wider buses and you won't have lower floors to accommodate people. It waits for no one, because we're on the waiting list too. It's inevitable: Those steps will be harder to negotiate, but the bus won't be there to accommodate you. In fact, the bus might not be there.

Recall what happened in the United States a few years back when Reagan deregulated the bus industry: 52% of communities lost their service; more than half ceased to exist. The day you see bus deregulation strike — tales of Houdini: You see it; the next day you don't see it. Systematic, deliberate, but unless you're a client, unless you bring forth the human dimension and place it first in your argument, who gives a damn? Who cares?

I can assure you we do care, because that's us. Those are the ordinary Ontarians about to lose a service when there's no need to do so. If it ain't broke — and you know the rest. Why change things? Things are going okay. Unless you're engaged, you're committed, you're on an ideological bender and you must change no matter what, sometimes it's better to do nothing, better not to change.

I have some quotes. There's nothing like asking the people who play the game, the people who know, the experts in the field. When you spend investment and

time, when you're the person doing the job, you should know better than anyone or better than most what you're talking about.

Jim Devlin, president of Trentway-Wagar — that's probably the third largest carrier in the province of Ontario — knows busing; you've got to give him that. Jim is not a card-carrying member of the New Democratic Party; we can give him that. This is what he says: Simply put, he doesn't want instant coffee. He says, "I'm not in favour of deregulation." Point final.

Reg DeNure, the vice-president of the Ontario Motor Coach Association — he owns Chatham Coach Lines — "If it isn't broken, why fix it?"

Gino Defent. Of course, he owns Gino's Bus Line, a family endeavour.

The larger companies are definitely going to drop routes, because recall here, remember, there's no tradeoff, no obligation. You just grab the gravy, the lucrative. Since the beginning of time, certain elements have been attracted by material wealth, given that quality of having mercantile minds. They have two rules. The first rule is, never lose money; and the second rule is, remember rule number one. They're not about to become the good Samaritan. It's not in their mandate. As a shareholder, would you invest in a losing endeavour? Highly unlikely.

There's more. I could toss them across but I will save time; I know there are other speakers. Turn to page 1 and listen to what the players are saying, listen to what the experts are saying: "Rural Ontario is going to suffer if intercity bus service is deregulated."

Unions are upset; I mean deeply hurt, upset big time. Who wouldn't be when you will lose your job? We all like to put a paycheque on the table. Some of us weren't born rich. Aside from the family unit and good health, the right to earn a paycheque is sacrosanct. We need it. You don't have to emanate from U of T or Harvard. It's not very deep. They're about to find themselves on the UI list; ie, unemployment insurance. Because the cast is set, cards are being dealt and you're the tradeoff. For a few dollars more, for that fistful of dollars, men and women lose their jobs? Bagatelle, minor. They'll find another job. Most people do that.

So you lose a service; people lose their jobs; fewer routes. Not 500; no, within six months you will have upward of 2,000 fewer jobs. Men and women will be deprived of the ability to earn a paycheque when it need not happen, because the system works relatively fine. We're not opposed to evolution. We're not opposed to changes. We're saying that if there's a change or changes to make the system more expedient, more efficient, let's do that. But don't kill the patient with too much radiation; you fail when you do that. We acquiesce readily. We know the system cannot go on without changes; nothing does. Things do change and you must accommodate the legislation to reflect that. But to that extent, to that extreme?

1620

Sometimes there are people who wish to cut all the trees in the forest and there are other people who don't wish to cut any trees, but in there there's a balance, an equilibrium where you satisfy. You take a little more time and you do it well and you do it progressively. You don't

plug the digestive process. You let people assimilate the data. But when from one day to the next you come to the marketplace with a chainsaw, government by meat cleaver, and you destroy what is basically a good system, a system that has served us well, proven, since 1920, not a flash in the pan — and it was there for a reason, the tradeoff. You make money on one route; you have a social responsibility to supply an essential service in the less lucrative market.

Then they had the gall and the audacity to say that safety will not be compromised. Let's talk about this. This is a government that's about to discharge, to pink-slip, to surplus 1,200 employees in the Ministry of Transportation. How on the one hand can you attempt to prophesy that safety will not be in jeopardy — you get up with great trumpet and fanfare and repeat that you wish to make the Ontario roads the safest in North America — and while you're doing this, the other hand, that of the puppeteer, dislodges 1,200 people?

Your inspectors? Well, they're gone, in the ditch, twisting in the wind without a job. Fewer inspectors does not mean better safety, not in my book it doesn't. The reverse — the resource — the opposite does. You've heard, you've read of wheels literally falling off transport trucks. Fewer inspectors will only give us more.

Picture this: You go and buy a licence. "Okay, a hundred bucks? Got it. Give me my licence." Deregulation: Every Tom, Dick and Harry can come to the marketplace, come calling. The teller takes \$100. "Here's your application." Now you go to the marketplace with whatever wreck you have. This is what you do: You are now a bus operator, legalized by the province. You go to the insurance shop and they stamp you and collect a few dollars more and out you go. You establish your own market. Good luck to you. Then things get a little tougher. Some don't make it; they just don't have the cash flow or the ability. The vultures gather and they descend on the weak ones and swallow them. Others decide to merge; they're of equal force. Others get taken over because today looks better than the future — takeovers, mergers, bankruptcies.

While this is happening and you're on the hook to the friendly chartered bank, your line of credit has been exhausted so you can no longer command prime plus half, or prime plus one. You're a mid-sized or a small entrepreneur so you will pay the loan. You started with collateral, but now your collateral is the bus line that you hope to operate. You don't have a guarantee.

Your mechanic tells you that you need new sets of tires because the book says rotate, and after so many thousand kilometres, replace tires. But you've beaten a path between your residence and the banker's office. So now you're going to see the banker with cap in hand. Where are you going to place your \$10,000? On the tires or to pay back your loan? Are you going to change oil all that often, or as often? Or are you going to yield and say, "I cannot afford to have the same conscience because my pockets are empty," as opposed to saying, "I cannot afford not to have a conscience because my pockets are full"? I can't answer that, but I'm asking, will safety not be compromised by deregulation when there are more players fighting for a smaller piece of the action? Of

course it must. Those are basic laws of economics. Establish your priority, do your research, cut your costs.

I say with equal candour that our caucus did appreciate the briefing, not only from the minister, the invitation from the minister, but the briefing from the minister's political staff — very able people, very dedicated and no doubt, extremely loyal to the minister, and that of the Ministry of Transportation. In both instances, they're asked to deliver the goods. Their job is to see how they can make it happen. Civil servants inevitably do that very well. In almost all instances, the annals, the record is one of being almost immaculate and always very diligent and very expedient in their delivery of the government's will.

Mr Speaker, I will conclude my remarks by thanking you and repeating that, as a matter of principle, as a matter of conscience, the New Democratic Party of Ontario does not, cannot, shall not support what is in front of us for third and final reading and, in the days ahead, no doubt royal assent.

I want to thank you and we will continue to monitor, we will continue to be vigilant and to remind the government of the day that what is being suggested, what is being done today, what will be passed today or tomorrow by vote — and they have the numbers, they have the clout, no doubt — we will remind them that what is being done today is a mistake and it could have been avoided.

1630

Mr Tony Martin (Sault Ste Marie): I appreciate the opportunity today to rise and speak on third reading of this very important bill. My colleague so eloquently explained and put on the record thoughts and concerns that he has around the impact this will have on the people of this province and on our ability to get around.

I want to focus for just a few minutes this afternoon on two distinct areas where this will have a tremendously important impact; I think it will be negative, others may argue otherwise. I'd like to speak today, for the few minutes that I have, first regarding the impact of any deregulation of transportation where it concerns that very important and beautiful part of Ontario I live in, northern Ontario, because those of us who live in northern Ontario, who work up there, who want to do business up there know that transportation is absolutely essential, and anything you do to either improve it or take away from what we already have has immediate and very important impacts and ramifications.

When I speak of transportation, I speak of all forms of transportation. This government, by some of the actions and decisions that it's made or taken so far in its short term in office, doesn't fully understand the importance and the impact of anything where it concerns transportation for those of us who call northern Ontario home.

I participated in discussion at the committee level, agencies, boards and commissions, around the question of norOntair and the importance of the air industry and air transportation to both medium- and small-sized communities in northern Ontario as we try to take advantage of any opportunity that might come our way, any chance to generate some wealth, create some jobs or make more vital the communities and areas that we live in. Transportation is a very intricately woven network of road, rail,

air and water, and diminishing of any one piece of that has some major effects and presents some real concern.

In my discussion, for example, around the question of not just the deregulation of air service in northern Ontario but the actual selling of an air service that was put in place many years ago by a previous Conservative government to make sure that we in the north in some very important resource-based communities — Elliot Lake, Kapuskasing, Hornepayne, Atikokan, all of those very vibrant communities in northern Ontario that see themselves as having a future have in them people who make a tremendous effort to be responsible and contributing citizens, who make some very important investments of their time and of their expertise and of their resources; they buy homes, they invest in business. Transportation and the diminishing of transportation becomes very much a concern if we see that happening.

If we take, for example, the way this government has dealt with the demise of norOntair and the impact that's had on air service to communities in the north and we look at the way road maintenance and winter snow removal were dealt with this winter, we know we have ourselves on the horns of a real dilemma because this government does not, I don't think — I know that there are members in this government who really want to understand, but they don't fully understand the challenges we face in the north. Whether it's trying to get our goods to market, whether it's trying to move people for health reasons, whether it's just visiting each other as we live out our daily lives, to recreate or have holidays etc, our transportation systems have become very, very important.

If you who make up this House, who represent jurisdictions that are outside of northern Ontario, want to be helpful in terms of northern Ontario's future and the potential it has to contribute to the economy of this province — and indeed it does contribute. Anybody who knows of the very valuable contribution that the resource-based industries of northern Ontario make to the larger metropolitan areas of southern Ontario will know why it is important that you pay attention and listen to those of us who share with you some of our thoughts and ideas and some of the concerns that we bring to this place from having listened to our constituents, and in this instance particularly around the question of transportation.

In northern Ontario, distances are enormous. Where in southern Ontario we travel an hour or two and we can literally go through three or four or five communities, in northern Ontario you can travel for two, three or four hours sometimes and not see another human being, not see another house, not see another small community, not see even another small clump of two or three houses. So our transportation, our getting back and forth, our keeping in touch with each other, our looking after each other's needs becomes that much more critical. It is that much more important that we are always able to, one way or another, get through to each other and be able to provide, as I've said before, the health care and education services and those other very important, fundamental underpinnings of any healthy society or economy, to make sure they are in fact there.

As I said, if we look at what the government has done in the short time they've been in office re the question of

air service and their obvious misunderstanding of how important it is that there be a well-coordinated and comprehensive air service that is able to make the kinds of connections necessary to get people where they need to go in a timely fashion, in a safe fashion, you take away from our ability to participate in today's economy, given that things are moving so quickly and it is so important for us to be places in a timely fashion.

It was just in the last couple of days, in preparing for a report that's coming out of the standing committee on agencies, boards and commissions, that some people out of my office have had the opportunity to call some of the communities that were impacted by the demise of norOntair and to find out that, yes, in most instances there is air service going into those communities, but it's not as convenient as it was before. As a matter of fact, it would in some instances leave one to wonder whether these new air services really expect to be successful. The schedules are so inconvenient that one wonders why one would take an airplane as opposed to doing the three- or four-hour drive it takes to get to a larger centre to get perhaps on to a bigger plane.

For example, in Elliot Lake, where with norOntair you were able to get on a plane first thing in the morning, get to Toronto, do a full day of business and get back home that night so that you could be at your workplace early the next morning, it now takes three days for that to happen. In the world that we live in today, with commerce moving so quickly and decisions being made so quickly, three days can be a long, long time. If as a businessman making decisions about resources that are very valuable to you, you can't be where you need to be in a timely fashion, then why have the service in the first place?

So if that's an example of your understanding of how important and valuable transportation is to northern Ontario and how you don't understand that transportation systems — air, road and rail — need to be interconnected, then it doesn't surprise me that we have before us today this bill on bus deregulation. It doesn't surprise me that we've had a number of people in this House stand and put on the record perhaps some of the thoughts that I'm going to put on this afternoon, but other thoughts around the very disturbing impact this will have on their community, on their particular special part of the province, and on their ability to participate fully in the life of Ontario.

1640

I talked about air service and I talked about the efforts of previous governments to make sure we put the resources that were necessary in place to make sure we had a coordinated, comprehensive air service that connected, made sense, that was working in unison, that wasn't in any way disconnected or causing problems for people who needed to move. We don't have to look too far beyond that to understand that when it comes to the issue of our roads, we have some problems as well.

This past winter we saw, for example — and yes, we did have a particularly difficult winter, probably one of the most challenging winters I can remember, having lived in northern Ontario since 1960, having lived in Wawa, which sees Sault Ste Marie as its centre of service

and commerce, and having travelled up and down that road many, many times as I went to work, as I went to the larger centre or came home from the larger centre for purposes of recreation or socializing, or whether it was ambulances that I remember going up and down that highway to take people from hospital to hospital to make sure they got the kind of health care they needed.

I remember stories of ambulances actually going off the road and other ambulances having to drive out and pick up the patients and bring them in. We didn't have that problem this winter that I can remember, but we did have another problem that presents itself as somewhat problematic. That's our inability, because of the cutback in resources to road maintenance and snow removal, to keep those roads in a safe condition. To give the government its due, because the roads weren't safe, decisions were made more often than not to close them down.

Any of us who travelled on northern highways this winter will have experienced at one time or another some time spent in coffee shops. I remember one day in Parry Sound, I was on my way back to Sault Ste Marie after a long week in the Legislature, working hard on behalf of my constituents, having to stop because there was a major snowstorm happening between Parry Sound and Sudbury and the road was closed. In talking to some of the folks I got to chat with while I was there — I was there for a good three or four hours — we began to share stories and began to realize that road closure was now a more prominent reality for —

Mr Joseph Spina (Brampton North): It's a safe option.

Mr Martin: It's a safe option. It is. You have to recognize, though, that in closing the road and keeping people safe in the coffee shops and hotels that they stop in —

Interjection: It generates money.

Mr Martin: It generates money, yes. It contributes to the economy. I'm sure Parry Sound probably picked up a few bucks that day and some of the hotels where people stayed in various communities as they were stopped along their route contributed in some positive way. But the very challenging and negative aspect of all of this is that when the roads close, you can't do business. When the roads close, you can't move people for health reasons. When the road is closed, if you have a hockey team and you're going to a tournament, you're stuck, and you have a problem when you get there and the organizers have a problem when they get there. It creates problems. It really does. It presents some challenges.

It is, in the collective mind of the northern members of my caucus, not in the best interests of northern Ontario that we should be taking so much out of the road maintenance and snow removal program by way of the money that we spend so that this new approach to safety on the highways can become a more prominent reality for all of us who travel in the north. Because at the end of the day, it does present some danger to life, particularly as we try to move people who need to be in other medical institutions than the ones that are located in our community, and particularly as we look at the reality of the regionalization that's going on, that this government is bound and determined to make sure comes into effect.

A lot of the services and resources that we took for granted would be always available to us in our home communities are now more and more being moved to central operations. A lot of offices that used to be in Sault Ste Marie that had been there forever and we thought would be there forever are now being moved, and that's causing all kinds of concerns and difficulties for a whole array of people in various sectors in my community.

Where it concerns transportation, it means that those of us who need to access those services need to travel more and we need to know that the means to travel, whether it's road or rail, air or bus or train, is in fact there and that it's going to be timely and that it's going to be safe. The only way you do that is by regulating it, by making sure there are rules in place that dictate that certain things happen when other things happen. So it is really important.

As I said, we're into a situation in northern Ontario now where more and more of the services that were offered in places like Sault Ste Marie and Timmins and North Bay, which are not the largest communities in the north — the largest communities in the north are Sudbury and Thunder Bay, and they are as far apart as Sault Ste Marie or Sudbury from Toronto. In fact, if you're trying to get from Sault Ste Marie to Sudbury or to Thunder Bay to access some regional service, it is more inconvenient. I know from talking to some of the members here they don't fully understand this, but it is easier for us to in fact go to Toronto than it is for us to go to Sudbury or to Thunder Bay. That is because of the transportation networks that are in place or, as the case may be, are not in place. It presents some challenges for us and some details that we need to look at, and that we need to concern ourselves about.

Ontario over the years has prided itself on building on, contributing to, making better, improving. I would suggest that today we have a government in place at Queen's Park — concerned, yes, about the deficit and the debt, and I don't think there's anybody here who would disagree that we need to concern ourselves about that, but at what price? At what cost to regions of this province as we look at the deterioration of the delivery of services, and in this instance particularly the deterioration, as we move to more and more deregulation, less and less regulation, of transportation?

Mr Len Wood (Cochrane North): On a point of order, Madam Speaker: I find the comments very interesting and I think it's very important that we should have a quorum here to listen to the member for Sault Ste Marie.

The Acting Speaker (Ms Marilyn Churley): Is there a quorum in the House?

Senior Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Senior Clerk Assistant and Clerk of Journals: A quorum is now present, Speaker.

The Acting Speaker: The member for Sault Ste Marie may proceed.

Mr Martin: I want to actually take this opportunity to thank the Minister of Health, who just came into the House, for coming up to my community.

Mr Terence H. Young (Halton Centre): He was watching on TV.

Mr Martin: Yes, he was.

He came up to my community just a couple of weeks ago and announced that we were going to have an MRI in the city. I want you to know that we appreciate that and that it's important from time to time that we in opposition have the bigness of mind and heart to recognize when something valuable has been done. In fact, the placing of an MRI in Sault Ste Marie lessens some of the anxiety that we in the Sault have around the question of transportation, because it means that we don't have to go to Sudbury or Thunder Bay or London to access that piece of equipment. But there are lots of other services we don't have in places like Sault Ste Marie that are only available to us in places like Sudbury and London that we have to travel to, so it makes transportation for us in the north critical.

1650

Transportation is fundamental and essential to any stabilization of the economy or the life of people in communities in the north, and anything we do to in any way destabilize or diminish that impacts in very serious and comprehensive ways on our ability to do business, our ability to live and to work and to connect with each other and with the rest of the province.

I am not going to get into great detail here about the actual individual impacts of the deregulation of the bus industry on various and sundry communities. You have had, over the last month or so as we have seen this piece of legislation go through the House, some very intelligent and well-thought-out and -presented points put on the record, both here in this House and at committee, on how the deregulation of the bus industry is going to have a very negative impact on northern Ontario and most particularly on the smaller communities of northern Ontario as they try to connect with and do business with the larger centres and take advantage of the services available to them in the larger centres, on our ability to travel back and forth between communities to work with each other on creating a better life for all of us who choose to work and to live in that very special part of this province.

I say today to the government and in this place that you have to be really thoughtful, really careful, when you tamper in any way with the transportation systems in the north. Transportation has to be comprehensive, has to be connected and coordinated, and I believe it has to be there in all the various ways we provide transportation today. That means road, and with road comes bus service, because not everybody has a car. Not everybody can afford a car and not everybody wants to have a car today, as we concern ourselves about the environment. We have to have first-class rail service, both for the products we bring in and ship out and for transportation of passengers, for both personal use and business, and for the tourism trade.

We have in Sault Ste Marie one of the best tourist attractions in all of Ontario. It probably attracts more people in a year than all the other attractions put together in this province — at least in northern Ontario, anyway, but I would suggest in this province — and that's the

Agawa Canyon tour train. We need to make sure it stays in place.

What I'm saying is that transportation is fundamental. Transportation needs to be built on and enhanced as opposed to diminished. I suggest to you that the deregulation of the bus industry will not be in the best interests of the north and we will see a diminishing of our ability, the opportunities we have, to get out of particularly the smaller communities in the north once this thing kicks in and takes place.

The other thing I want to mention very briefly in wrapping up is that another group in the province will be affected very negatively by this bill, and that's the handicapped. We had a bill presented in this House by a member of our caucus from London, Ms Boyd, just the other day, speaking to the need for this government to take action to make sure that everybody who lives and works in Ontario can access and take advantage of all the services and opportunities that are out there and available to them. The disabled in our province are saying to us very loudly and clearly that at this particular point in time, that is not the case.

They're very concerned that while governments of all stripes have, as I said before, continued to build on and improve and make more accessible things like bus service to all the citizens of Ontario, this bill will go a ways to diminishing, taking away, actually making it more difficult for the disabled in our community to get around.

Here's a press release they put out today. This group is called Transportation Action Now, and it's a group that I believe is under the umbrella of a group called ARCH. It says:

"During the 1995 election, Mike Harris promised persons with disabilities and seniors, 'A Harris government would work to ensure that all new intercity buses purchased in Ontario are full accessible.' Bill 39," the bill we're talking about here, "amends the Public Vehicles Act and is the only means of achieving this promise.

"An amendment which would have fulfilled this promise was voted down by the government majority in committee. They said they needed more time to think about it."

Can you imagine? You're sitting out there in the cold, you want to get on a bus and you can't, and you're being told by this government, which has been given the responsibility by the people of this province to improve things, to make sure that systems work and that everybody's able to participate, to give people a hand up as opposed to a handout — what more obvious a way than to improve legislation when you can, such as was asked for here so these folks can access and get to the places they need to go?

"Given an opportunity to review the issue before third reading, the government has elected to slip the bill through." That's why we're speaking here this afternoon. We want to make sure that all these things are put on the record. "In doing so, they have declined Transportation Action Now's request for a meeting with Minister Al Palladini. The government gave the public less than two hours' notice of their intention to rush the bill in for third reading so that no one in a wheelchair could be present to hear the debate."

I don't believe there is anybody in a wheelchair in the public gallery today to hear this debate that has such important ramifications for them.

Mr Len Wood: Ram it through.

Mr Martin: That's right: Ram it through. But, you know, that's in keeping with the pattern this government has developed for itself.

"Janice Tait, acting executive director of Transportation Action Now, responded, 'We've waited a long time for the access promised by this government. Why are they in such a hurry to break their promise to persons with disabilities and seniors?'"

I ask the government that question: Why are you in such a hurry to bring in legislation that will have such a detrimental effect on the part of the province where I live and really enjoy and want to continue living in? My kids, hopefully, will live there in a major way. Why would you not want to take advantage of this opportunity to improve legislation so it gives to another group in our province, the disabled, the opportunities they need to get around and become involved in commerce and the economy in the ways we know they have the resources to do?

I put on the table those thoughts re this piece of activity by this government. I ask the government to please listen, be sensitive, pay attention and, ultimately, do what's in the best interests of the common good here and get off this train you're on that is just hurtling down the track and hurting a whole whack of people, hurting a whole whack of communities and is not in the best interests of Ontario and its future.

The Acting Speaker: Questions or comments?

Mr Len Wood: We have an agreement.

The Acting Speaker: Ah, you have an agreement that you will split the time. Is that agreed? Agreed.

Mr Len Wood: It's a great pleasure to add my comments to those of the member for Lake Nipigon, who led off the debate on this, and to those of the member for Sault Ste Marie, in the amount of time we have left. We're talking about Bill 39, which is a bill for deregulation of the bus industry.

The minister's explanation of why he would bring in deregulation seems to be — I guess the answer is that the Liberals and Tories have deregulated air service, rail service and trucking, and now we should deregulate the intercity bus service as well. There doesn't seem to be any reason other than the fact that they want to follow the lead of what Ronald Reagan did in the States back in 1982 when they deregulated the bus industry there. It was no surprise to everybody at that time that 50% of the communities that were being covered when regulation was in place lost their bus service that was going through.

A number of areas in this province are going to be drastically affected as a result of this particular bill, not only the communities but the population that is in these communities. Freedom to Move has estimated that some of the hardest hit communities are going to be from southwestern Ontario — Essex, Lambton, Elgin, Oxford, Perth, Huron, Wellington — as well as in northern Ontario. Cochrane and Nipigon are going to seriously lose the services.

1700

It's kind of sad the way this bill is being rushed through the House. A couple of weeks ago I sat in on

committee hearings where the community with special needs, the disability community, is saying they have a signed letter from Mike Harris saying that if he formed a government in Ontario, all new buses being purchased would be accessible for the disabled. When we brought amendments forward to include them in Bill 39, the Conservatives rushed in with their eight members in committee and voted down every particular amendment we had brought forward that would make it easier for the disabled community and some of these other communities. So there was no compassion whatsoever to the disabled community out there even though Mike Harris had promised that when he formed the government he would do it. Bill 39 is the ideal piece of legislation that it could be done in and they could keep their promise by proceeding with that.

We know from the presentations of people who came forward that there are a number of operators out there who are saying: "Well, deregulation is coming, so I have a bus out there, even though I know there are other bus operators that have invested \$150,000 or \$200,000 on a bus to make sure they're safe and good for the road, I have a bus that's sitting there. It's only worth \$10,000 or \$15,000, and I can go and put that on the road and cut into the service that the other bus industry is doing right now." It's going to be a sad situation.

We have people who have come forward and said: "Why would the Conservative government want to deregulate the busing industry when it knows it's a failure in the trucking industry? It hasn't worked in the airlines industry, it hasn't worked in the rail industry. Why would you now deregulate the busing industry when we know that rural and northern Ontario are going to suffer as a result of intercity busing being deregulated?"

We have people who have come forward from Ontario Northland who say, "We expect deregulation is going to have a serious effect upon our operation." Ontario Northland's head office operates out of North Bay and it serves a lot of the communities in northern Ontario. They're saying that deregulation is going to affect them very seriously.

The outlook for small-town Ontario doesn't look very good. I have a lot of friends and neighbours that I know who would like to have a car or would like to be able to drive a car but for one reason or another, either for financial reasons or for disability reasons or for other reasons, they depend on the bus to be able to go and see their children or their grandchildren or their great-grandchildren. With regulation they have a fairly stable system that they could leave in the morning and go and have a visit and get back at night. But with deregulation happening the way it is, we know that in the States some communities that were having bus service on a daily basis are now only having it once a week, which would mean that instead of being able to do it on a daily basis, they are only going to be able to do it once a week.

There are a number of things in the bill that might be good if some of the amendments that we had brought forward the Conservatives were willing to listen to at the time, but Bill 39 is being treated very similarly to Bill 26, which was the omnibus bill that brought in the big tax grab for Mike Harris and his Conservatives — user fees

and taxing the people of Ontario to death — or Bill 7, which was a labour bill that legalized the use of strike-breakers and scabs in the workplace. They just railroad them through.

When I was on committee, it was frustrating and saddening to hear a group come forward and explain to us that they thought they had a strong commitment from Mike Harris. They didn't think that Mike Harris would break a promise to the disabled community and yet, right before their own eyes — they were still there when we were voting — they saw that the people on the Conservative part of the committee voted against every amendment that was coming through.

We had a system that had been regulated since the 1920s. There was a reason why it was being regulated: to give the service to these small communities. If a bus company wants to service the larger communities and end up with a full busload, it must go into the small communities and provide a service for these communities. Now the buses are going to drive right by. How do people get out to do their business if they're going to be completely isolated by what is happening?

We know that northern Ontario is going to be hit more severely than some other parts of the province because of the large distances there are between communities, and it's going to be even more harsh on the communities with the announcements that the Ministry of Natural Resources and Ministry of Northern Development and Mines has made that they're going to eliminate jobs, putting people out of work in most communities in northern Ontario. You were talking about pink slips that went out to 900 people the day before Victoria Day, and most of them are within northern Ontario.

There is no place for these people to go; there's no place for these people to turn. They're going to end up having to sell their cars and hopefully they can find work in the area. Some of them are two-wage earners. They're going to end up being only one-wage earners and they probably would want to depend on the bus on a daily basis to get out of their communities. As a result of what the Conservatives are bringing forward, they want to give a reward to their buddies, because most of the trucking industry that's going to benefit from deregulation is not from the province of Ontario; they're foreign busing companies that are going to come in and rip off the cream from the province, and small communities are going to be left completely out in the cold, as they are with a lot of other decisions that are being made being made by this particular government.

We've had all kinds of companies come forward saying that they don't want to proceed with what deregulation is. We thought and expected that when the bill went out to committee, there would be some compassion and there would be some listening on the part of the Conservative caucus members and that they would listen to some of the amendments we wanted to bring forward that would help out some of the communities and would also eliminate some of the anger that has been generated against the government. But lo and behold, when it came time for the amendments to be voted on, they were voted down one after the other.

1710

For people who were listening to question period today, it was a sad situation where we were asking the Conservative government to accept some responsibility and come forward and admit what is happening, because deregulation is going to hurt the aboriginal community I represent, which depends on the buses to get from one community to another. Even today the Conservative government had an opportunity. Either Mike Harris or Chris Hodgson or Charles Harnick or the Solicitor General could have come forward and said, "We ordered the OPP into Ipperwash to clean up that situation there and that's how it was done." But we didn't see that happening today.

We have a number of people who have — Gino Defent, president of Gino's Bus —

Mrs Janet Ecker (Durham West): On a point of order, Madam Speaker: The honourable member has made a comment about conduct of this government which I believe should be withdrawn because I don't think he has any basis in fact for that comment. Given the fact that there is a serious investigation going on, I think this is a very serious comment.

The Acting Speaker: Would the member for Durham West take her seat. I did not hear the comment. If the member for Cochrane North has said anything that is contrary to the decorum of the House, I'd ask him to apologize, but I did not hear anything.

Mr Len Wood: Thank you very much, Madam Speaker. We're talking about Bill 39 here and the deregulation of the bus industry.

Mrs Ecker: Yes, we were.

The Acting Speaker: Order.

Mr Len Wood: My point that I'm talking about is that I have a number of aboriginal communities and native people in my riding that depend on the bus to get to work, to be able to go out and do their shopping. As a result of what is happening here today with Bill 39, these buses are going to drive right by these communities and the native population is going to be shunned into the back. They won't be able to use the buses for getting back and forth to work, or for going out and doing errands, or for visiting other people.

As I said earlier, there are a lot of motor coach companies that have come forward saying it doesn't make any sense. We know Bill 39 is going to lead to complete deregulation of the bus industry in the long run, but I have to go back to what Mike Harris had promised during the election campaign, that he would not forget about the disabled community. He has broken his promise and he's gone back on it.

The member for Sault Ste Marie read out a letter from the Transportation Action Now community asking why Mike Harris would break a promise, bring a bill into the Legislature and try to have this passed and rammed through the House within two hours. My argument is that it's nothing new. The Conservative government is known for this. We'd never seen the violence that's been created in Ontario since June 8, 1995, when the Conservative government was elected. We're going to see a lot of hard feelings and hardship again with Bill 39, as we see the deregulation that is taking place.

The only people who are going to benefit from this particular bill are the buddies of the Conservatives. You're talking about opening up Ontario to foreign carriers from outside of the province that are going to come in. I'm sure if they didn't support some of the members in the last election, they probably will in the next one, because they're getting exactly what they've asked for: "We want to come into Ontario and shut down all the small operators that are operating in Ontario right now." It's going to be completely foreign-owned. Why would we want to shut down businesses in Ontario, the largest province, and open it up for foreigners to operate in?

Not everybody in small communities has a car. A lot of people can't afford them. What this bill is really all about is it's an attack on the poor, students, senior citizens and the disabled.

The bus companies right now are required to provide service to get a licence to run charters, which are profitable. With deregulation, there will be no incentive for them to stay in any of these particular communities. A number of communities, not only in northern Ontario, are going to suffer as a result of this particular bill.

In the area where I was born and raised, in Mitchell, which covers the area up through Listowel, Stratford, Seaforth, a number of those communities, they're all going to lose the bus service. How are the seniors, the poor, the disabled going to be able to get from point A to point B when they realize there are no more buses as a direct result of Mike Harris and his Conservatives wanting to give the goodies to the foreign carriers?

As I asked earlier, why would this government want to bring in Bill 39 on deregulation when it's very similar to what Ronald Reagan did in the States? That was a failure. It was a failure in the States. It never helped anybody, other than the large bus companies gobbled up the small companies, and as a result 50% of the communities lost bus service. It went from 11,820 cities and towns in 1982 down to 5,690 nine years afterwards. It's not a good piece of legislation. There are a lot of other things we should be talking about.

Mr Stockwell: Are you done, Len?

Mr Len Wood: No. It's good that we have a number of people here listening to some of the facts and figures.

I'm sure people back home are going to be asking, "If there are no benefits, if all Bill 39 is is deregulating and bringing on pain and suffering and hurt for the poor, the women, the children, the disabled, why would a government continue to steamroller ahead and bring in legislation of that kind?" We know that most of the legislation that has been brought in has not been to the benefit of the people in the province of Ontario.

We said yesterday and the day before that as a result of all the user fees and user-pay that Mike Harris has introduced, people are going to be worse off. They are worse off now and will be worse off after July 1 as a result of all the user fees, the increase in property taxes that they're forcing, the increase in school taxes — user fees for everything. It's very unfortunate.

1720

The Minister of Health is here today. There are a lot of people now who are using the bus routes to go for health

appointments. The only choice they're going to have is they're going to have to take a taxi, go to the airport and fly to their destination when the deregulation of the bus industry takes place. This is going to add additional cost to northern travel grants and to the cost of doing business in Ontario. It's very unfair and it's putting a lot of fear into the people in the province of Ontario.

Right now, bus companies will have to give 90 days' notice before abandoning a route; 30 days before a service reduction of more than 25%. You get 30 days' notice that the bus is going to pull out of the community; that's all it is. There's no attempt made whatsoever to spread this over a six-month period or eight-month period and have public hearings and make sure that there's going to be something to replace it.

We've heard arguments in committee and other places that deregulation is going to allow for competition to reduce fares and allow small carriers and minivans into the market. When the presenters were coming forward, they were saying that minivans and small carriers just don't work. There's no way they're going to replace the bus industry that is there right now. There is no money to be made on that.

What will happen is that the larger carriers will come in, and most of them are going to be foreign, and they're going to drop into these communities and pick up some of the passengers, then a few weeks down the road they're going to cut the rates and they're going to squeeze the small operators out. The small operators are not going to be able to operate at a loss. What you end up with is a few foreign-owned bus companies that are going to run charters through the province of Ontario.

Interjection.

Mr Len Wood: They're not buddies of mine. They must be buddies of Mike Harris and the Tory cabinet. Why else would they devastate most of the communities in rural southern and northern Ontario by allowing this to happen?

We have some of the changes that are taking place, and they're all tied in with Bill 39 as we find out that the Minister of Northern Development and Mines and the Premier are saying that decisions are going to be made in the north with their new policy.

Two weeks ago we find out that the Minister of Northern Development and Mines goes into North Bay and makes an announcement that he's going to fire the 20 non-partial board of directors heritage board and he's going to replace them with 12 defeated candidates from the Conservative Party, or 12 Conservative supporters in any event, so that they'll have complete control in Queen's Park out of the Premier's office, which is very sad when a commitment was made during the campaign that if they were elected as the government, decisions would be made in the north for the north and that would happen.

Now we find out that the Minister of Northern Development and Mines and the Premier are making all the decisions in Toronto, and there's no consideration whatsoever for any of the people in northern Ontario.

We even find out that the Minister of Transportation is saying: "The people along Highway 11 have had it too good. We're going to go in there and we're going to

slash and burn. We're going to take every job that we can out of all those communities, whether it be from Hornepayne, Hearst, Mattice, Kapuskasing, Cochrane, all the way down to North Bay. It's time we gave pink slips to all the Ministry of Transportation people who work there. We're going to contract it out. We know it's going to cost a lot more to plow the roads, a lot more to do the maintenance, but we're going to do it anyway because we are the government and we can do whatever we want, and this is exactly what we're going to do."

They already did it with MNR, and now in the documents that were brought forward to me during constituency week, they're saying that they're going to contract out. The information I have is that when they contracted out during the strike the cost was enormous compared to what they could have done with their own particular people. It doesn't matter if it's snowplowing, it doesn't matter if it's sanding, it doesn't matter if it's repairing bridges or whatever.

Bill 39, on deregulation, is all part of the plan that Mike Harris and his people would like to put in place: "Take everything away from the poor, the middle class and the disabled, the women, the children. We need that. If we're going to start giving a tax break on July 1, we need all that money. So we're going to destroy a lot of the communities not only in northern Ontario but some of them in rural areas in southern Ontario. We're going to take all the money, fire all the employees we have there who work for the government, put them all on welfare, and then we'll have enough money to give to the rich people in the upper income brackets in the province of Ontario."

It's boiling down to that. All the people that are going to get a little bit of a break, the 90% in the province who are going to get a little bit of a break, it's going to be all used up in user fees and extra fees that the government has implemented through Bill 26 and other pieces of legislation they've brought forward. It's a shell game that is being played with the people in the province of Ontario.

I looked at the TV last night and I saw what's happening in BC. It's quite obvious that three and a half years from now we'll have another NDP government in the province of Ontario, the same as they have in British Columbia and the same as they have under Roy Romanow. I'm looking forward to sitting on the government side three years from now, because I can guarantee you it will not be Mike Harris and his Conservatives.

The Acting Speaker: Questions or comments?

Mrs Margaret Marland (Mississauga South): I don't think the member for Cochrane North could have been watching the same news reports on the British Columbia election last night that I was watching, because if you looked at the results of that election, it's very interesting how many seats they lost, and of course they didn't win the popular vote. They lost the popular vote in spades.

But what is more important is that I'm really interested in his comment about the fact that he's looking forward to being in the government in three years' time. First of all, I would be willing, if I was a gambling woman — which of course I am not, but I would have been willing had I been — to make a wager that we will never have

a New Democratic Party government again in the province of Ontario.

I say, with respect, the most shocked person in 1990 was in fact the former Premier, Bob Rae, when they won that election in the first place. I'm quite sure, no matter how dynamic and wonderful the new leader of the New Democratic Party will be whenever she is elected next month, it won't be possible for them to retain the government of this province — the Lord be praised, I might add.

I simply say to the member for Cochrane North that I give the people of Ontario far more credit for using good judgement when they elect their governments than you.

Mr Michael A. Brown (Algoma-Manitoulin): I was quite interested in the comments from the member for Cochrane North. I think one of the things he has pointed out, and as a northern member I appreciate that, is the comparison between bus deregulation and what's happened to norOntair. I suppose I might be able to live with the deregulation of buses if there was a guarantee of service to the communities. But there is no guarantee of service to the communities. Therefore, we will be losing bus service to many communities across the province of Ontario.

The analogy to norOntair is exactly the same. You might be able, as a northern member, to live with losing norOntair, you might be able to live with that, if you knew that the communities of northern Ontario would continue to have the same service or better service across northern Ontario.

1730

What has happened is a fiasco of all fiascoes in terms of norOntair and in terms of providing service to the communities. We've seen the government bumble from one step to another: contract, then find out they didn't tender the contract, then call in MNR to provide service, re-tender the contract for a service level that is greatly diminished to three of the communities which I'm quite familiar with.

If you look at bus deregulation and you look at maybe the small towns like Massey and Spanish across the North Shore that see the Greyhounds go by right now, maybe those Greyhounds are just not going to stop. If that's the case, those communities and the people in those communities will be severely disadvantaged, and those people who are severely disadvantaged really will have no way to go to their medical appointments in Espanola or Elliot Lake. They will have no way to do that, and that's a problem.

Mr Bud Wildman (Algoma): I wanted to commend my colleague from Cochrane North on a very good presentation as a representative of a wide area of northern Ontario with many, many small towns that are a great distance from one another where people understand the importance of transportation and regret the way this government is attempting to destroy the transportation infrastructure that is so important in our part of the province.

I must say I was provoked into making these comments by the member for Mississauga South. As someone for whom I've had a great deal of respect over the years that we've known each other in this assembly and

continue to have, I must say that I think it unwise for a politician, no matter what stripe, to make such predictions. All of us in this assembly after some time will recognize, I'm sure, that even a week is a long time in politics.

Mrs Marland: Sometimes an afternoon.

Mr Wildman: Yes, and sometimes an afternoon.

I think we should all recognize that the leader of the New Democratic Party in British Columbia achieved a great victory, particularly when you consider where he was coming from and what the predictions were — again predictions — about the likelihood of his success in re-electing the NDP government in British Columbia. Not too many months ago when he took over the leadership and the premiership of that province, it was predicted by these many, many predictors in politics that he didn't have a chance, that he could not win at all, and in fact he has done a great job in articulating an alternative to the neo-conservative agenda and in persuading a very large portion of the population of British Columbia that there is an alternative to the approach that is taken by this government.

Mr Stockwell: I want to thank the member for Cochrane North, but I think he's a little hard-hearted. He seems to be a member who's bitter, who's disenchanted, frustrated —

Mr Leo Jordan (Lanark-Renfrew): Needs a holiday.

Mr Stockwell: That's right. My friend from Lanark-Renfrew said, "Needs a holiday." We did just come off constituency week, so it's certainly discouraging to see, I know, the calm member for Cochrane North stand in his place and offer up such scathing indictments of a piece of legislation that is thoughtful, reasonable, and brought forward by the parliamentary assistant from Oshawa, who I know would not handle things in such a high-handed and egocentric manner.

I can only say to the member for Cochrane North that maybe we should ask you to just take your time, take a deep breath, analyse what the legislation's doing, see how it's implemented, have a little cup of coffee with your friend from Manitoulin, a little chit-chat, see if maybe we can work something out that's going to be of benefit to both the people of northern Ontario and the greater population of Ontario itself. Maybe —

Interjections.

Mr Stockwell: Madam Speaker, I've got two minutes.

The Acting Speaker: Order, please. Continue.

Mr Stockwell: Maybe at that point we can see that with this kind of legislation we've offered up, by working together cooperatively and all those other socialist comments, we can come to the conclusion —

The Acting Speaker: The member's time is up.

Mr Stockwell: — that my two minutes are up.

The Acting Speaker: The member for Cochrane North has two minutes to respond.

Mr Len Wood: I'll be very brief. I just want to thank the people who commented, the members for Mississauga South and Algoma-Manitoulin, our well-qualified leader from Algoma and the member for Etobicoke West. I've been hoping and praying that he gets a change of seat one of these days, and with some of the developments happening today I'm sure he will. I think he deserves to

be in cabinet. After serving four and a half years on the third party, he should have been there.

My whole disappointment with Bill 39 was that when the community with special needs was promised by Mike Harris that when he dealt with intercity bus regulations and deregulation, they would not be forgotten, it's a promise he has broken. Mike Harris has gone back on his word to the community with special needs that in terms of all new buses that would be brought in to deal with intercity under deregulation, he would bring in legislation on that. It was voted down by the eight members in committee, and I was very disappointed; as a matter of fact, I was shocked. And the disability community still can't believe that, with less than two hours' notice, Bill 39 was going to be brought here for third reading and rammed through the House. The people out there who were promised that changes would be made are going to be completely forgotten.

At least I'll give credit to Sheila Copps. When she made her promise that she would resign if she couldn't get rid of the GST, she resigned. I hope she doesn't get re-elected, but she made a promise she'd resign. Mike Harris made a promise, but he hasn't resigned.

The Acting Speaker: Further debate?

Mr Bart Maves (Niagara Falls): I appreciate the opportunity to speak to this legislation today. It is clear that the current regulatory system in intercity busing is not working. It is outdated. Members opposite sat here today and told us that it goes back to the 1920s, and only they could appreciate and want to cling to something so far outdated. It's inefficient and does not guarantee scheduled bus services to small-town Ontario. No regulatory system can.

Intercity bus deregulation is consistent with the established trend towards economic deregulation of various other types of transportation, including air travel and trucking. There is a great deal of evidence supporting deregulation of this industry. That includes a recommendation from the 1992 Royal Commission on National Passenger Transportation.

Economic deregulation is part of the philosophy of this government. This direction is also consistent with the Common Sense Revolution's job creation plan, which focuses on cutting government barriers to job creation, investment and economic growth by eliminating red tape and reducing the regulatory burden.

The current economic regulatory system is costly and burdensome for both the government and the intercity bus industry. The process to obtain an operating licence includes an application fee, administrative costs — for example, publishing the application in the Ontario Gazette — lawyer fees for both the applicant and the respondents, and the salaries and expenses for the Ontario Highway Transport Board to hear the application and render a decision.

1740

At the public hearings the committee heard several examples of how costly this process can really be and how it works against riders and the industry.

Interjection.

Mr Maves: The members opposite would do good to listen to this. Mr Jim Devlin of Trentway-Wagar told the

committee that he spent \$200,000 to apply for a licence to serve my region, the Niagara region, with fully accessible coaches, and he had about 60 witnesses in support of his application. His application was denied, because as he told the committee, and I'll quote:

"The test of public need and convenience was not met. It was not met because we brought forward members of the disabled community to support the application, and there were not enough able-bodied people to support it. Therefore, we failed to meet the test of a public need and convenience."

How can the members opposite support this legislation which has clearly stopped something that was going to be accessible to the disabled and private sector from coming on line? How can they stand across the way and profess that we're mean-spirited when they're supporting a piece of legislation which has stopped accessible busing from coming on line? It makes no sense. I might add that if an entrepreneur wants to invest his money, take the risk, and provide the service, what kind of a government would stop him? A government that embraces outdated legislation based on regulations, not this government.

Further to the point made opposite about the disabled and accessible busing, I'd like to point out that during committee hearings the very last group that presented just prior to clause-by-clause analysis was the Transportation Action Now group, a group that represents disabled passengers. They had proposed in their presentation an amendment to the legislation, and in great grandstanding fashion just prior to clause-by-clause analysis, the member for Oakwood jumped up and basically on a brown paper bag wrote out a legislation of his own and expected us to vote for this.

Many of us on this side of the House approved of the drift of the legislation, the drift of the amendment by Transportation Action Now, but we can't just all of a sudden take something written on the back of a piece of paper and propose that it goes in the legislation. Brown paper bag legislation and matchbook legislation may have been done in previous governments, but not in this one. We couldn't support that. Even though we did support the concept and the drift, it would have been very irresponsible of us to support the way that that amendment was put forward.

We also heard from Mr Avo Kingu, manager of Silver Fox Tours. I'll read into the record his experience as related to the committee:

"We have thought of buying coaches. There's a big, crying need in London for a small coach, 15, 20 seats. The last time I inquired about getting a licence, they told me 'Your hearing's going to cost you \$20,000, and that doesn't guarantee you a licence.' So what am I to do? I just throw my hands up and walk away from it."

Mr Kingu also told us how people who not only have no intention of providing service but don't even own buses hang on to licences. I quote again from Mr Kingu:

"There a chap in Strathroy, Ontario, who holds a London licence. He sold all his coaches and he has sat on those licences ever since. I offered to buy those licences from him. He wouldn't sell them. So why keep them? Well, it's like money in a pocket. The next guy comes, maybe he'll offer you more. And that's not right. That's not in the public interest. It's not in the interest of the

small businessman and everybody involved in this industry.

"That \$20,000 that we had talked about, I could have put that down on that coach. The coach only cost \$40,000 or \$50,000, and I would put some Ontario people to work, because it could be used."

That's the point of this legislation. Deregulation will let a small businessman who want to get into business do that. It will create jobs and it will allow small business people to run the smaller routes throughout this province. I could not have put it more clearly myself than did Mr Kingu. This is what is happening out there. Small communities do not have their service subsidized by service to larger communities. This is a fallacy that the members opposite continue to put forward.

Today carriers only have to give 10 days' notice to abandon routes under current legislation. Under this existing legislation, over 400 communities have lost their routes. Under deregulation, small carriers will more easily fill in these spots and fill up that service.

The current system is not working. They want us out of the way, and the small businesses time and time again said that they would come in and fill up these needs. The small communities lose their services because licence holders have been allowed to abandon them without losing the other parts of the licence. People are hanging on to licences, wasting money trying to get new licences or taking competitors to the transport board to fight off the competition.

There are also costs for the Ministry of Transportation. These include the costs to issue the licence, to collect and approve ticket prices, file timetables for scheduled services; and for enforcement, to ensure the bus companies are operating within the terms and conditions of their licences. Added to this are the court costs if charges are laid against a bus company for operating illegally, as well as costs to the bus company in terms of legal representation and fines if found guilty of the offence. This is a waste and makes no sense for the industry, the government or the travelling public.

Bill 39 will set up an interim regulatory regime that will be streamlined and paid for by the industry. What it basically does is keep the status quo until 1998 and allow the industry time to prepare for full deregulation.

But an important change is that it is to increase the notice period for carriers wishing to reduce or abandon service. Currently, carriers can abandon routes with just 10 days' notice. With Bill 39, we're increasing that to 30 days for a reduction of service and 90 days for an abandonment of service. That's because the previous legislation was outdated. This legislation offers more time. It will encourage other operators to take a look at those services and see if they would like to come in and take them up. It also gives the communities time to look for another carrier to come in.

Once full deregulation is implemented, providers of intercity bus services will not require a public vehicle operating licence to provide scheduled bus services between communities, including school bus services or charter tour services.

In a deregulated environment, operators will be free to provide bus services in response to market demands.

Deregulation will allow for an open, competitive market with a level playing field for large and small operators alike.

As I reflect back on the hearings, I remember that time and again we heard from small operators who said they would indeed increase their services for small communities. It was interesting that there was one group, called Freedom to Move, that published what I think was fearmongering, a list of communities which it believed in its ultimate wisdom would lose services under Bill 39. I must tell you that as I sat there and listened to small businesses, one after the other, who came in to appear before the committee, the list that Freedom to Move gave us of communities it felt would be abandoned acted as a checklist for myself and my fellow members as these small businesses came in and told us the communities they were going to increase services in.

It was unbelievable. I want members to understand that it was all these towns that were listed that were supposed to be afraid they were going to lose service. Here there was a whole list of them in alphabetical order. We could sit there and check off these towns as small businesses told us they were going to increase service in those areas. There's a lot of fearmongering going on, and it's typical of members opposite.

Safety is something else that members opposite are trying to make the public become fearful of, but safety will continue to be regulated by the government and carriers will only be allowed to operate if they comply with safety standards and carry sufficient insurance.

I'd like to take this opportunity to remind the Legislature that intercity bus deregulation does not apply to municipal transit or local bus services which operate solely within an urban municipality. During second reading debate and in committee there was some mention of GO Transit. The witness from the Amalgamated Transit Union talked about how after deregulation private buses would be allowed to run against GO's so-called profitable routes or the times of day when it supposedly makes money.

When the Ministry of Transportation's estimates were being looked at by the estimates committee on February 13 of this year, the member for Lake Nipigon asked a representative of GO Transit how many of GO's routes lose money. The direct answer from GO's director of finance was, "All the routes lose money." This should be no surprise to anyone. GO Transit is heavily subsidized by the provincial government: 100% of its capital costs are paid for by the government, and it gets only about 60% of its operating costs from the fare box. I really don't see how any carrier could compete with a system that doesn't have to pay for its buses and that gets 40% of its operating costs from the government. If there is a carrier that can, then maybe we should let it run GO Transit.

In conclusion, this legislation is a reasonable, reality-based approach to bringing intercity busing in Ontario into the 21st century.

1750

The Acting Speaker: Are there questions and comments?

Mr Len Wood: Even after listening very attentively to what the member has explained to us, I'm disappointed

that the promise Mike Harris had made that he was going to satisfy the disabled community and those with special needs and make sure that buses were available to all communities — you make a promise during the election campaign and the promise should be kept, and if you can't keep the promise, you shouldn't make it. Not only did he make the promise; he put the promise in writing.

There was plenty of time in committee to bring the amendments forward that needed to be there to make sure that communities that have people with disabilities and special needs living in them were not going to be denied bus service, especially in northern Ontario. When you're waiting in a wheelchair, who is going to pick you up if the buses are not willing to make sure that the drivers are trained to put you on the bus and get you to point A and back again?

I'm also very much concerned when the member says that the buses are going to be safe. When are they going to be safe? After the wheels start falling off? Some presenters who came forward were saying that with deregulation, they'll be able to go out and buy all kinds of old jalopy buses and put them on and cut the rates, go into these communities for a short period of time and put the safety of all passengers who use these buses at risk. There is no guarantee that this is not going to happen with deregulation. They're going to be given the licence and away they go; they operate the buses, the wheels fall off and people get killed, and then what kind of a mess are we in?

Mr Ouellette: Just to mirror some of the comments my colleague made, members opposite have spoken about all the communities that may lose bus service, with the emphasis on "may." I think the question that needs to be addressed and should be put forward is, what about those over 400 communities that have already lost their service because of the current system? It's just not working.

Then we hear about trucks not being safe and about 20-year-old buses that may be coming on that are not going to be safe and how many of them there would be. Very clearly, this government is committed to truck safety. We've increased the number of inspectors, we're having truck blitzes, we're having bus blitzes and we're going to continue doing those things to ensure that there are no 20-year-old buses out there that are unsafe in this community.

Accessibility was mentioned. I will state again, as I stated earlier today, that further, much of Bill 39 will be repealed in anticipation of deregulation. It is not the proper venue for addressing accessibility. A more appropriate place would be in the disabilities legislation that this government has committed to introduce.

The opposition spoke of how Quebec is not deregulating and that we should not. I say to those members opposite that they should understand that the new Ontario does not follow where others may go. Instead, we cut new paths so that others may follow our lead.

Mr Michael Brown: I appreciated although I didn't agree with most of the comments of the member for Niagara Falls. I was particularly concerned with his little bit of chatter about the amendment that was put forward by my colleague the member for Oakwood concerning disabilities and having transportation for people with

disabilities. It was a campaign promise that was made not by anybody but his leader, Premier Harris. It seemed to me that the Conservative caucus would have hoped to have this included in its bill if they were really going to live up to the commitments that Premier Harris had made during the election campaign.

I find it a little passing strange that he cast aspersions upon my friend the member for Oakwood for not properly, in his words, presenting the amendment. Of course it was properly presented. If the government thought that it wasn't properly drafted, the government had every opportunity in the world to redraft it to be consistent with their Premier's promise to the disabled community in Ontario. They, of course, did not do that, and here we are today debating on third reading where we could have waited a day. I don't think it would have made a whole lot of difference. We could have taken this to committee of the whole House and made the appropriate amendment in terms of people with disabilities on public transportation in Ontario.

We're not asking for anything strange over here, other than, if it's strange to ask a government to live up to their own campaign promises, then I guess perhaps it's strange. But I think the member for Niagara Falls should be ashamed to be standing in support of a bill omitting a very clear promise by Premier Harris during the election campaign of 1995.

The Acting Speaker: Further questions or comments? There's time for one more. Seeing none, the member for Niagara Falls has two minutes to sum up.

Mr Maves: The member opposite should be ashamed for endorsing brown-bag legislation. It's not the way this Legislature should work.

The member, if he was listening to my comments, and I don't know that he was, he'll remember about the group that I talked to him about in Niagara who tried to bring in accessible services. They couldn't under the current piece of legislation. Under the new piece of legislation, they will have a better opportunity to do that. That's one of the reasons why I support this legislation. Safety is still under the control of government. Buses still have to pass safety checks in the province of Ontario before they're allowed on our roads, and I would reiterate the member for Oshawa who said that this government is doing more with regard to truck safety than any other previous government.

In summary, deregulation will increase the number of small companies around the province that will be able to expand their services, those that already exist, and those that will be able to come on and take the small bus routes. We heard from many small companies that are willing to expand and we heard a great deal of interest from other companies to come in and take up any room that there is left, not to mention the room left in the 400 communities which have lost routes under the current regulation. This new legislation makes it a lot easier for businesses to come in, fill those gaps and offer the people of Ontario better bus service than they have now.

The Acting Speaker: Further debate? Seeing none, would the parliamentary assistant like to wind up?

Mr Ouellette: I appreciate again this opportunity to speak today. I think what we've presented is a fair and reasonable bill. We've addressed all the issues. The

parties are under the understanding that this is interim legislation of an up-and-coming final bill.

Over 400 communities have lost their service, and we don't intend that to continue. We want to open opportunities up for the province of Ontario, and I think this legislation here gives us that exact opportunity.

Busing safety is the same as trucking safety. We will ensure that our roads are safe and our communities remain safe by doing the things that we have done, such as increasing the number of inspectors, bus blitzes and so on and so forth, and we will continue to do that.

The Acting Speaker: Mr Ouellette has moved third reading of Bill 39. Shall the motion carry? I think I heard a no.

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members.

I have a letter from the government side which reads:

"Dear Mr Speaker:

"Pursuant to standing order 28(g), I would like to request that the vote on Bill 39, the Ontario Highway Transport Board and Public Vehicles Amendment Act, 1996, be deferred until May 30 before orders of the day.

"Thank you for your assistance in this matter."

It's signed by the chief whip.

The vote is accordingly deferred.

It being almost 6 of the clock, this House is adjourned until tomorrow at 10 o'clock.

The House adjourned at 1800.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Lt Col The Hon / L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD
Speaker / Président: Hon / L'hon Allan K. McLean
Clerk / Greffier: Claude L. DesRosiers
Senior Clerk Assistant and Clerk of Journals / Greffier adjoint principal et Greffier des journaux: Alex D. McFedries
Clerk Assistant and Clerk of Committees / Greffière adjointe et Greffière des comités: Deborah Deller

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	Wildman, Bud (ND) Interim leader of the New Democratic Party / Chef par intérim du Nouveau Parti démocratique	Hamilton West / -Ouest	Ross, Lillian (PC)
Algoma-Manitoulin	Brown, Michael A. (L)	Hastings-Peterborough	Danford, Harry (PC)
Beaches-Woodbine	Lankin, Frances (ND)	High Park-Swansea	Shea, Derwyn (PC)
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Brampton South / -Sud	Clement, Tony (PC)	Kenora	Miclash, Frank (L)
Brant-Haldimand	Preston, Peter L. (PC)	Kingston and The Islands / Kingston et Les Îles	Gerretsen, John (L)
Brantford	Johnson, Ron (PC)	Kitchener	Wetlaufer, Wayne (PC)
Bruce	Fisher, Barb (PC)	Kitchener-Wilmot	Leadston, Gary L. (PC)
Burlington South / -Sud	Jackson, Hon / L'hon Cameron (PC) Minister without Portfolio (Workers' Compensation Board) / ministre sans portefeuille, ministre responsable de la Commission des accidents du travail	Lake Nipigon / Lac-Nipigon	Pouliot, Gilles (ND)
Cambridge	Martiniuk, Gerry (PC)	Lambton	Beaubien, Marcel (PC)
Carleton	Sterling, Hon / L'hon Norman W. (PC) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	Lanark-Renfrew	Jordan, Leo (PC)
Carleton East / -Est	Morin, Gilles E. (L)	Lawrence	Cordiano, Joseph (L)
Chatham-Kent	Carroll, Jack (PC)	Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Cochrane North / -Nord	Wood, Len (ND)	Lincoln	Sheehan, Frank (PC)
Cochrane South / -Sud	Bisson, Gilles (ND)	London Centre / -Centre	Boyd, Marion (ND)
Corwall	Cleary, John C. (L)	London North / -Nord	Cunningham, Hon / L'hon Dianne (PC) Minister of Intergovernmental Affairs, minister responsible for women's issues / ministre des Affaires intergouvernementales, ministre déléguée à la Condition féminine
Don Mills	Johnson, Hon / L'hon David (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion	London South / -Sud	Wood, Bob (PC)
Dovercourt	Silipo, Tony (ND)	Markham	Tsubouchi, Hon / L'hon David H. (PC) Minister of Community and Social Services / ministre des Services sociaux et communautaires
Downsview	Castrilli, Annamaria (L)	Middlesex	Smith, Bruce (PC)
Dufferin-Peel	Tilson, David (PC)	Mississauga East / -Est	DeFaria, Carl (PC)
Durham Centre / -Centre	Flaherty, Jim (PC)	Mississauga North / -Nord	Snobelen, Hon / L'hon John (PC) Minister of Education and Training / ministère de l'Éducation et de la Formation
Durham East / -Est	O'Toole, John R. (PC)	Mississauga South / -Sud	Marland, Margaret (PC)
Durham West / -Ouest	Ecker, Janet (PC)	Mississauga West / -Ouest	Sampson, Rob (PC)
Durham-York	Munro, Julia (PC)	Muskoka-Georgian Bay / Muskoka-Baie-Georgienne	Grimmett, Bill (PC)
Eglinton	Saunderson, Hon / L'hon William (PC) Minister of Economic Development, Trade and Tourism / ministre du Développement économique, du Commerce et du Tourisme	Nepean	Baird, John R. (PC)
Elgin	North, Peter (Ind)	Niagara Falls	Maves, Bart (PC)
Essex-Kent	Hoy, Pat (L)	Niagara South / -Sud	Hudak, Tim (PC)
Essex South / -Sud	Crozier, Bruce (L)	Nickel Belt	Laughren, Floyd (ND)
Etobicoke-Humber	Ford, Douglas B. (PC)	Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Etobicoke-Lakeshore	Kells, Morley (PC)	Norfolk	Barrett, Toby (PC)
Etobicoke-Rexdale	Hastings, John (PC)	Northumberland	Galt, Doug (PC)
Etobicoke West / -Ouest	Stockwell, Chris (PC)	Oakville South / -Sud	Carr, Gary (PC)
Fort William	McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition	Oakwood	Colle, Mike (L)
Fort York	Marchese, Rosario (ND)	Oriole	Caplan, Elinor (L)
Frontenac-Addington	Vankoughnet, Bill (Ind)	Oshawa	Ouellette, Jerry J. (PC)
Grey-Owen Sound	Murdoch, Bill (PC)	Ottawa Centre / -Centre	Patten, Richard (L)
Guelph	Elliott, Hon / L'hon Brenda (PC) Minister of Environment and Energy / ministre de l'Environnement et de l'Énergie	Ottawa East / -Est	Grandmaître, Bernard (L)
Halton Centre / -Centre	Young, Terence H. (PC)	Ottawa-Rideau	Guzzo, Garry J. (PC)
Halton North / -Nord	Chudleigh, Ted (PC)	Ottawa South / -Sud	McGuinty, Dalton (L)
Hamilton Centre / -Centre	Christopherson, David (ND)	Ottawa West / -Ouest	Chiarelli, Robert (L)
Hamilton East / -Est	Agostino, Dominic (L)	Oxford	Hardeman, Ernie (PC)
Hamilton Mountain	Pettit, Trevor (PC)	Parkdale	Ruprecht, Tony (L)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Parry Sound	Eves, Hon / L'hon Ernie L. (PC) Deputy Premier, Minister of Finance, government House leader / vice-premier ministre, ministre des Finances, leader parlementaire du gouvernement	Scarborough North / -Nord	Curling, Alvin (L)
Perth	Johnson, Bert (PC)	Scarborough West / -Ouest	Brown, Jim (PC)
Peterborough	Stewart, R. Gary (PC)	Simcoe Centre / -Centre	Tascona, Joseph N. (PC)
Port Arthur	Gravelle, Michael (L)	Simcoe East / -Est	McLean, Hon / L'hon Allan K. (PC) Speaker / Président
Prescott and Russell / Prescott et Russell	Lalonde, Jean-Marc (L)	Simcoe West / -Ouest	Wilson, Hon / L'hon Jim (PC) Minister of Health / ministre de la Santé
Prince Edward-Lennox- South Hastings / Prince Edward-Lennox- Hastings-Sud	Fox, Gary (PC)	Sudbury	Bartolucci, Rick (L)
Quinte	Rollins, E.J. Douglas (PC)	Sudbury East / -Est	Martel, Shelley (ND)
Rainy River	Hampton, Howard (ND)	Timiskaming	Ramsay, David (L)
Renfrew North / -Nord	Conway, Sean G. (L)	Victoria-Haliburton	Hodgson, Hon / L'hon Chris (PC) Minister of Natural Resources, Minister of Northern Development and Mines / ministre des Richesses naturelles, ministre du Développement du Nord et des Mines
Riverdale	Churley, Marilyn (ND)	Waterloo North / -Nord	Witmer, Hon / L'hon Elizabeth (PC) Minister of Labour / ministre du Travail
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Scarborough Centre / -Centre	Newman, Dan (PC)	Windsor-Walkerville	Duncan, Dwight (L)
Scarborough East / -Est	Gilchrist, Steve (PC)	York Centre / -Centre	Palladini, Hon / L'hon Al (PC) Minister of Transportation / ministre des Transports
Scarborough-Ellesmere	Mushinski, Hon / L'hon Marilyn (PC) Minister of Citizenship, Culture and Recreation / ministre des Affaires civiques, de la Culture et des Loisirs	York East / -Est	Parker, John L. (PC)
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		York-Mackenzie	Klees, Frank (PC)
		Yorkview	Sergio, Mario (L)
		York South / -Sud	Vacant

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

CONTENTS

Wednesday 29 May 1996

MEMBERS' STATEMENTS

Video lottery terminals	
Mr Sergio	3143
Ministry of Natural Resources staff	
Mr Len Wood	3143
Young offenders	
Mr Jim Brown	3143
Health care funding	
Mr Cleary	3143
Rent regulation	
Ms Churley	3144
OxyChem Durez	
Mr Hudak	3144
Baseball league reunion	
Mr Miclash	3144
Ontario public service restructuring	
Mr Martin	3144
Conservation authorities	
Mr Klees	3145

STATEMENTS BY THE MINISTRY AND RESPONSES

Government agencies review	
Mr David Johnson	3145
Mr Cordiano	3146
Mr Martin	3146

ORAL QUESTIONS

Ipperwash Provincial Park	
Mr Michael Brown	3147
Mr Harris	3147, 3148, 3149, 3151
Mr Phillips	3148, 3151
Mr Wildman	3149, 3151
Mrs Boyd	3150
Mr Harnick	3150
Academic testing	
Mr Carroll	3152
Mr Snobelen	3152
Obstetrical care	
Mrs Caplan	3152
Mr Wilson	3152
Comments of Minister of Transportation	
Mr Wildman	3153
Mr Harris	3153
Construction industry	
Mr Lalonde	3153
Mr Harris	3153
Severance payment and termination	
Mr Martin	3154
Mr David Johnson	3154

Capital funding for schools

Mr Clement	3154
Mr Snobelen	3155

PETITIONS

Social assistance	
Mr Cleary	3155
Health care	
Ms Churley	3155
Quinte-Thousand Islands Lodge	
Mr Stewart	3156
Algonquin Provincial Park	
Mr Conway	3156
Ministry of Natural Resources regional office	
Mr Len Wood	3156
Mr Carr	3157
Drinking and driving	
Mr Baird	3156
Public services	
Mr Gerretsen	3156
College of Teachers	
Mr Murdoch	3157
Mr Barrett	3158
Non-profit housing	
Mr Curling	3157
Video lottery terminals	
Mr Bradley	3157
Building code	
Mr Gerretsen	3158
Gasoline prices	
Mr Bradley	3158

REPORTS BY COMMITTEES

Standing committee on social development	
Mr Gerretsen	3158
Report adopted	3158
Standing committee on regulations and private bills	
Mr Barrett	3158
Report adopted	3158

FIRST READINGS

Town of Richmond Hill Act, 1996,	
Bill Pr61, <i>Mr Klees</i>	
Agreed to	3159

SECOND AND THIRD READINGS

International Fuel Tax Agreement Implementation Act, 1996,	
Bill 48, <i>Mr David Johnson</i>	
Agreed to	3159

THIRD READINGS

Ontario Highway Transport Board and Public Vehicles Amendment Act, 1996, Bill 39, <i>Mr Palladini</i>	
Mr Ouellette	3159, 3176
Mr Colle	3161
Mr Pouliot	3163
Mr Martin	3166
Mr Len Wood ...	3170, 3173, 3175
Mrs Marland	3172
Mr Michael Brown ...	3173, 3176
Mr Wildman	3173
Mr Stockwell	3173
Mr Maves	3174, 3176
Vote deferred	3177

OTHER BUSINESS

Visitors	
The Speaker	3145, 3156
Use of question period	
The Speaker	3145
Ipperwash Provincial Park	
Mr Wiseman	3158
Mr Eves	3158

TABLE DES MATIÈRES

Mercredi 29 mai 1996

DEUXIÈME ET TROISIÈME LECTURES

Loi de 1996 mettant en oeuvre l'accord appelé International Fuel Tax Agreement, projet de loi 48, <i>M. David Johnson</i>	
Adoptée	3159

TROISIÈME LECTURE

Loi de 1996 modifiant la Loi sur la Commission des transports routiers de l'Ontario et la Loi sur les véhicules de transport en commun, projet de loi 39, <i>M. Palladini</i>	
Vote différé	3177

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Thursday 30 May 1996

Jeudi 30 mai 1996



Speaker
Honourable Allan K. McLean

Président
L'honorable Allan K. McLean

Clerk
Claude L. DesRosiers

Greffier
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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 30 May 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 30 mai 1996

*The House met at 1003.
Prayers.*

PRIVATE MEMBERS' PUBLIC BUSINESS

LABOUR UNION AND EMPLOYEES ASSOCIATION FINANCIAL ACCOUNTABILITY ACT, 1996 LOI DE 1996 SUR LA RESPONSABILITÉ FINANCIÈRE DES SYNDICATS ET DES ASSOCIATIONS D'EMPLOYÉS

Mr Gilchrist moved second reading of the following bill:

Bill 53, An Act to Promote Full Financial Accountability of Labour Unions and Employees Associations to their Members / Projet de loi 53, Loi visant à promouvoir la responsabilité financière complète des syndicats et des associations d'employés envers leurs membres.

The Deputy Speaker (Mr Bert Johnson): The member has 10 minutes.

Mr Steve Gilchrist (Scarborough East): Thank you, Mr Speaker. Over the last nine months, all of us, including all of the new members elected just last June, have had an opportunity to address this Legislature during members' statements, petitions, during debate on bills and resolutions. In addition, most members have had a chance to participate in the important committee hearings which shaped the final design for the bills which are ultimately passed in this chamber. None the less, I must say that nothing to date has driven home to me more the significance of my election last June than the prospect of debating my own private member's bill here today.

The extraordinary opportunity that is afforded to all non-cabinet ministers to stand in this chamber and petition colleagues from all three parties to support an individual initiative is humbling and an exciting opportunity, to say the least. If nothing else, private members' hour reinforces the belief that I suspect is shared by members from all three parties that our electoral system and our democratic institutions do indeed work and that in some small way it allows every MPP the ability to represent the interests of his or her constituents by shaping provincial legislation to reflect the changing needs of our society.

That being said, it is a distinct privilege for me to say a few words about Bill 53, An Act to Promote Full Financial Accountability of Labour Unions and Employees Associations to their Members, 1996.

Let me begin by saying what this bill is not, and then I'll get on to the sum and substance of the bill.

This bill was not motivated by any anti-union sentiment. It does not single out unions for different treatment. It does not infringe on the rights of any union member. Nor does it — in fact, it most particularly does not — add in any appreciable way to the bureaucracy or red tape in this province.

While I would be the first to recognize there have been a number of initiatives undertaken by our government which have caused varying degrees of concern to certain unions or certain union members, I for one am not a union basher and I believe completely that when considered altogether, the bold changes in direction which we have taken over the past year will have a positive impact on the lives and the income of union members all across this great province.

I had the pleasure of working in Oshawa for the three years prior to the election. To say the least, that is a city which is very much imbued with a strong belief in union values. In fact, I would be very surprised if any of my 160 employees did not have a relative working at GM or PPG, Sklar-Peppler or any number of other union workplaces. In addition, I worked directly with a number of union members on a wide variety of community projects and I can say without the slightest fear of contradiction that in all those efforts the union members and I participated not just as equals but, I should add, as friends.

I won't belabour the point about the support for this bill that I believe exists across the entire spectrum of trade unions, for I know that my colleague from the riding of Oshawa wishes to speak directly to that issue a little later on.

Perhaps it sells newspapers to perpetuate the myth that somehow there's a class distinction between the supporters of the three political parties in this province, but the truth is, and it would be borne out by anyone who has ever canvassed door to door during an election campaign, party support cuts across all income levels and all vocations. I for one am proud of the strong moral and, it should be noted, financial support which our election campaign in Scarborough East received from union members and from unions themselves. While I don't believe it would be appropriate to name all the unionists who supported our campaign and who continue to support the work of our government, I can say that there was particularly strong support among the construction trades, police, firefighters, as well as from other blue- and white-collar union members.

The riding of Scarborough East has a very high percentage of union membership and I take my responsibility to those constituents just as seriously as I do to any others. Accordingly, what I've proposed in this bill is quite simple. It will afford trade unions the opportunity to demonstrate the same accountability which the NDP

required of publicly traded companies in 1993 and which our government required of public sector workers earlier this year. In fact, while there are a number of relatively minor differences, this bill is very much modelled on the Public Sector Salary Disclosure Act, which required that all public sector institutions, such as school boards, universities and hospitals and crown corporations, file a summary of employees earning over \$100,000 every year.

1010

As every member in this chamber can attest, the reaction of almost all Ontarians to the publication of those lists was overwhelmingly positive. Our office received a number of complimentary letters and phone calls, and in every case, there were sentiments that access to this information was long overdue. Taxpayers believe it is their right to know how their transfer partners spent the tax dollars with which they had been entrusted. Clearly, the Public Sector Salary Disclosure Act created an entirely new standard of accountability to the people of this province.

Bill 53 was inspired by this standard of accountability, and subsequent to the release of the salary information in the public sector, I had no fewer than three close union friends separately question why neither our government nor the NDP had applied the same standard to trade unions and employee associations. I had to admit to them that there was no good reason I could think of why these organizations had been left out and I committed to attempt to redress that oversight via a private member's bill.

I say again, with the greatest of respect to any of my colleagues opposite, that this bill is not motivated by vindictiveness or by some philosophical predisposition against unions. Rather, it is the product of a genuine belief that we should be treating all organizations on an equal basis when it comes to a standard of accountability.

In the case of unions, that accountability is to the rank-and-file members. I am certain that no one in this Legislature would deny that the first responsibility of every union executive is to the union members who have elected them. No less than the responsibility which we as MPPs have to the taxpayers of Ontario, the members of the union executive have a clear and abiding obligation to provide sound fiscal management of the union dues with which they are entrusted.

This bill affords all unions the ironclad method to convince all their members that they are living up to this important obligation. This bill would require all trade unions and employee associations to file an annual return which would list the assets and liabilities of the union and, most important, would detail any salaries in excess of \$100,000 per year. This filing would be sent to the Minister of Finance by March 31 of each year and would be available to all union members at any time during the balance of that year.

It should be noted that in the case of the Public Sector Salary Disclosure Act the government outlined a variety of penalties for any violation of the act and the government itself was also the enforcer of the act. Bill 53 leaves only one function in the hands of the finance minister, namely, the assurance that an annual filing is received, and there are only two penalties which could ever be

assessed by the government as a result of this failure to file. Aside from non-filings, the most significant difference between this bill and the public sector bill is that in all other respects, it will only be members of the relevant trade union who will be able to initiate any review or critique of the filing which the government receives. This is, without a doubt, the most important aspect of this bill and one which I believe deserves extra emphasis.

In introducing the regulations that brought about the disclosure of salaries within the private sector, the member for Nickel Belt, the then Minister of Finance, Mr Floyd Laughren, praised those disclosure rules and detailed at some length the rationale behind the institution of those new standards of accountability.

I'd just quote briefly from the statement made by the honourable member on October 4, 1993, because I genuinely believe the sentiments expressed by the longest-serving member in this Legislature are as valid in the context we are debating today as they were in the private sector context at that time. He said: "The new regulations will require that companies tell their shareholders the compensation paid. As well, we will require companies to show investors how their shares have performed against the market average over the last five years." He went on to say: "These changes benefit a very large group, namely, individual and institutional investors who have put their money into companies whose shares are publicly traded in Ontario. They have taken on ownership with all the risks and rewards that attach to ownership."

If you take the word "companies" in those comments and replace it with "unions," and if you replace the idea of share purchase with the remittance of union dues, clearly there is exactly the same need for and the same benefits from the disclosure of any large salaries within unions. At the same time, the provision to disclose other elements of the balance sheet afforded investors the opportunity to judge the relative efficiency and accountability of different companies. So too would this bill accord the same benefits to members of unions and employee associations who wish to compare salaries paid by different unions.

Let's be perfectly clear about the impact of such disclosure. I fully recognize that if the membership of a union believes the efforts being spent by one or more of their executive members are not being rewarded at a level commensurate with that paid to comparable positions in other unions, there might well be wage increases. On the other hand, it will ensure that all union members have the opportunity to review the broader spectrum of wages within the trade union movement. In any event, the access to information, this new right, would further cement the reputations of trade unions as accountable, responsible organizations.

I look forward to the comments of my colleagues and having the opportunity to address any concerns they might raise about this bill during debate this morning.

Mr Dwight Duncan (Windsor-Walkerville): I'm glad to have the opportunity to debate Mr Gilchrist's bill today, because it raises some worthy points of discussion and issues that need to be addressed; that is, the openness and accountability of trade unions here in Ontario and indeed, because of the nature of Ontario, in the country.

It raises a number of concerns around disclosure not only for unions but the public sector, which the government has already acted on for the public sector and elsewhere.

I wanted to begin my talk by saying it is my experience — and this experience we tested over the last few days in finding out just what union leaders do make. It's not difficult to find out, because within those organizations, certainly with the unions we spoke to, they were quite prepared to provide that information. One of the myths that's been perpetrated about unions is that they are somehow not open, that they do not disclose, that their membership does not have access to the kind of information that Mr Gilchrist has suggested in his bill ought to be made available. They do that already.

We have to examine the bill and the concept, not strictly in terms of what we agree — when I say “we,” I think most of the leadership of the union movement agrees — is the need for public accountability by elected officials within those unions. We also have to examine it in the context of what we require for private sector companies, not-for-profit organizations where there are elected boards of directors and others.

The government acted very quickly on its commitment with respect to salary disclosures in the public and broader public sectors, and I think most would agree that that exercise was welcome and a healthy exercise in terms of our democracy. When we begin to expand the scope of that concept, we have to recognize the different players not only within the workplace but within our broader society.

Part of the fear I have in starting to intrude into these areas is that a government today that may want to make this kind of disclosure mandatory for a trade union may be replaced by a government that wants to make, for instance, every private company disclose salaries over \$100,000. I recognize that securities exchanges have rules and regulations for disclosure for senior executives, but I believe there is some downside risk to that. I think too the other issue may be other organizations where there are elected boards that choose staff and make decisions around hiring. What immediately comes to mind are non-profit organizations within the economy.

We have to be careful when we look at these kinds of issues, and we have to be cognizant of the reality that exists today. The reality today is that unions do disclose to their membership and to those in the public who request it information about salary levels for their senior executives. I've heard many of the union leaders in this province openly acknowledge what they make and defend it to their membership. My understanding of the union movement in this province is that the salary levels are not simply arrived at; they are discussed openly at executive levels and agreed upon by senior elected officials within those unions.

What gives me greatest concern about the bill is that it seems to be more union baiting. I think the government has consciously pursued a policy aimed at undermining or trying to undermine the credibility and importance of unions not only in this province but in this country. We have seen a repeated attack on the rights of organized workers and the rights of their unions. We were made aware of a meeting between the Premier and the Minister

of Labour just this past week with respect to trying to at least open a dialogue with the senior union leaders in this province. That meeting, we are given to understand, didn't go well, and it should be no surprise that it didn't go well. When a government, a political party, pursues an agenda that is unquestionably an attack on unions and working people, it shouldn't surprise any of us that the gaps that have been created will be very hard to overcome.

1020

We believe that full disclosure is a worthy public goal. We believe the types of accountability that the member who has presented this bill contemplates are worthy, but we fear that the real meaning of this bill has more to do with union baiting and more to do with undermining the rights and the abilities of working people to organize and bargain collectively.

We think and believe that any standard that you apply to unions — if you're prepared to do that for unions, our fear is that you may be forced or a future government may be pushed to apply it, for instance, as I indicated earlier, to anyone in the private sector making more than \$100,000.

So we have some difficulty with this. I'm grateful we've had the opportunity to discuss it. I think the public policy issue that's raised is worthy and I look forward to hearing the comments of my colleagues in the House around this bill.

Mr Tony Martin (Sault Ste Marie): I just want to very briefly say in this House that today we have another example of this government's unrelenting attack on unions in this province.

It is just unbelievable that anybody with the stature of a member of provincial Parliament, given all that the union movement has contributed to the very fabric of this province that we call Ontario by way of a standard of living and quality of life and safety in the workplace and pension plans and all of the things that we all take for granted today that were fought for, literally, blood spilled over by working men and women in this province over a number of years so that some of us who are the product of working class families could have the education that was required so that we might end up in a place like this — it's unbelievable you would bring forward yet another piece of so-called legislation that is so weakly veiled that anybody with half a brain could see that it is simply another attack on the union movement for political purposes, for political purposes of the worst kind.

An attack on the union movement of any sort, no matter what you call it or how you veil it, is an attack on working people. It's an attack on the people who get out there every day and through the sweat of their brow and by bringing their brain to work contribute to the products that we put together and manufacture and sell both in the domestic market and internationally so that we might have a standard of living that all of us can participate in and we might feel good about the jurisdiction called Ontario that is the envy of the world.

For anybody for a second to suggest that the labour of working people is not of utmost value to the economic health of this province, and through a piece of legislation like this to contribute to the ongoing attack on that by

way of an attempt to tear apart the organization that labour has become, is just scandalous. It's outrageous. It's an attack on working people. It's an attack on families.

We hear so often from the folks across the way how they believe in family values, they believe in supporting the family. Well, the best way to support families is to make sure they have enough money to put food on the table for their kids and to pay their rent or to buy a new home and to contribute in those ways to the economy of this province, and not to be attacking them, consistently and unrelentingly, in the way that you are in this place. It's not only an attack on families, but it's an attack on children as well, and that's consistent too with what this government is doing.

When you consider — and I'll never forget it — the day in July when all of us woke up in this province to the reality that the poorest among us were going to lose 22% of the money they use to put food on the table for their children, what we have today is consistent and in line with that kind of thinking, with that kind of narrow, greedy, selfish thinking that's going to destroy this province.

Mr Bill Murdoch (Grey-Owen Sound): You said you were going to be short. Leave time for somebody else.

Mr Martin: Hear me out and bear me well on this one. In two or three years we will pay the price for all of this.

I would suggest that anybody in this House who has any interest in the quality of life of people, of families, of children, who has any interest in the future of this province and the overall health and wellbeing of families and working people, will not contribute in any way to the acceptance or approval or passing of this bill. I will be voting against it.

Mr Doug Galt (Northumberland): I'd like to start out by complimenting my friend the member for Scarborough East for a very thoughtful and responsible presentation and for bringing this bill forward.

I'm certainly very disappointed in what I've just been hearing from across the floor from the member for Sault Ste Marie. It sounded a lot like a leadership campaign speech looking forward to the next election, rather than being on topic about this particular bill. It's most unfortunate that he was talking about feeding children and not talking about accountability of the unions.

The current government moved to ensure that taxpayers were aware of salaries in the public sector that would be exceeding \$100,000. There's a similar need to ensure that unions and employee associations are equally responsive to their members when it comes to the subject of executive salaries.

This bill is modelled after the Public Sector Salary Disclosure Act and is identical to it in most of its clauses. The exception is that the oversight for compliance with disclosure would be done by the Ontario Labour Relations Board. There is no room for the government to get involved unless a union does not file its annual filing, in which case the government would report this to the Ontario Labour Relations Board.

Only a member of a union can initiate a complaint. It would be dealt with in the same way that the Ontario

Labour Relations Board deals with unfair labour practices. We're not saying the government should run it; we're saying that the rank and file of the union would be looking after this.

I can assure you that there are no special powers in this bill or any draconian fines such as are being intimated from across the House. Essentially, this bill is ensuring accountability by empowering the union members. I can tell you that there's no greater frustration for the taxpayers of this province than lack of empowerment. This is the current "in" thing that people are looking for, a little bit of strength and a little bit of rights, and this is what the union members are indeed asking for. It also allows the union the opportunity to address any criticism that their executives are not using union dues appropriately.

The most important part of this bill and what I'd like to focus on today is accountability. We're living in an era where the public and union membership have never been better informed, have never been better educated. They want answers and they want accountability of their elected officials as well as their union leaders. They want promises kept, and if people don't keep their promises, they expect a resignation. We've recently seen that in Hamilton, where a member of the federal House did resign only because of pressure from the media and the public that a commitment had been made that they weren't prepared to stand up to.

This bill goes hand in hand with the workplace democracy provisions in Bill 7. This bill will enhance the democratic process.

This government is held accountable to its citizens. The salaries of all individuals who make over \$100,000 are open to the public. The public has a right to know how much they are paying the people who run their public services.

In the private sector, corporations are held accountable to the shareholders. The salaries of CEOs of all public corporations are open to the public.

Unions should have the same kind of accountability to their members and to the broader public. Union members can often pay union dues approaching \$1,000 a year. Moreover, members do not have a choice; they have to pay these dues even if they do not particularly support the union. Union membership is not by choice. I suppose we could debate that for some time, how democratic that really is. But whether they want to belong or not, they must pay the union dues or they have to quit and lose their job.

1030

I regularly hear protests from the rank and file of unions saying: "I just want a job. I don't necessarily want to have to belong. Isn't there something you can do for me?" This is something we can do for them to ensure accountability of their senior executive.

Union dues are also tax-deductible, which essentially means that the public subsidizes unions. Who else, what organizations in this province, other than charitable organizations, have this opportunity? The public has a right to know about the internal accountability mechanisms within the unions.

Furthermore, unions negotiate collective agreements on behalf of 33% of the workers in Ontario. This has a direct effect on the Ontario economy and it is therefore within the public interest to have full disclosure.

In closing, I would encourage the members from both sides of the House to remember that this is a private member's bill. It is not a party debate, as was being suggested from across the floor. This bill is all about improving accountability of the unions in Ontario, it is all about empowering the rank-and-file worker in this province and it's about ensuring the democratic rights to the union workers who pay the dues to their union.

I certainly look forward to the unanimous support for private member's Bill 53 brought forward by my good friend the member for Scarborough East.

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased to join the debate on the bill. It is an interesting bill designed to disclose primarily salaries but also the assets and liabilities. If we proceed with this bill, the challenge for us is simply that we logically then have to look at where it leads and what's the principle here of disclosure and why disclosure?

Mr Gilchrist: Why not?

Mr Phillips: Well, why not, as the member says. The members need to, I suspect, appreciate where it all leads. For example, I have many accounting friends in partnership firms who are very curious about what the senior partners make in the firm, and they've come to me and said, "I understand there's a bill to make sure that union members know what the senior people in the unions make." By the way, if you check, most unions already disclose it; I think the salaries of the senior people are in the constitution of most unions. If we want to proceed with this, I think that, by extension, if the government member who is proposing this thinks members are owed this information, perhaps we should look at accounting firms and law firms. For example, I have friends who are in franchises and they're always very curious about what people are making in franchises, and what the president of a Canadian Tire store's making. They're often interested in that. They would say: "Why not? Because I'm one of the members of a franchise, I would like to know what the president of a Canadian Tire store is making." Certainly I think we're going to have to, if we proceed with this bill, say, "What is the principle behind it and, by extension, where does it lead?"

Many public companies — perhaps it would be very interesting to see the salaries of everybody making more than \$100,000. Right now I think the law is the top five officers, but perhaps we should be looking at all public companies divulging everybody making more than \$100,000. If the logic of this bill is that anybody in this province making \$100,000 should be required to disclose their salary — I think that's the principle of the bill — I don't think we can stop simply with this. We've got to go back to the public companies and disclose everybody making — because, I gather from Mr Gilchrist, the interest here is: "Who's making \$100,000 in this province? Let's get it out in the open so we all know, so we can all understand."

The problem with the bill is, as the member himself probably will recognize, that it's too limited. If that's

what he wants to do, if disclosing \$100,000 is what he wants to do, the bill is too limited, just divulging union members making more than \$100,000. We have to look beyond that, go back to the public companies and say, "Everybody in a public company making more than \$100,000 should be required to have their salaries revealed." We're going to have to go to private companies too, because the unions of this province deal with public companies, public sector organizations and private companies. We'd have to look at expanding the legislation to include private companies.

Certainly we're going to have to look at other organizations where the members are paying dues, where they want it. The Albany Club surely is going to have to reveal the amount of money they're paying their general manager, if we're going to follow this to its logical conclusion. What we've done so far is to say to public companies, "Your top five" —

Mr Terence H. Young (Halton Centre): What about the National Club?

Mr Phillips: That's one of the Conservative members saying, "The National Club." What is the principle we're following here? Is it that if you belong to any organization the salaries of the senior people have to be disclosed?

Mr Murdoch: What's wrong with that?

Mr Phillips: The member says, "What's wrong with that?" If that's the principle we're following here, and that is that the salary of anybody making \$100,000 has to be disclosed, we can't limit it to just the union organizations. You're going to have to expand the bill to include public companies. You've got to reveal all the \$100,000. You're going to have to expand the bill to include private companies. You're going to have to expand the bill to include not just union organizations but all organizations —

Mr Murdoch: Do you have an amendment to this? Will you bring the amendment?

Mr Phillips: The member is yelling across. I am not sure that there is an obligation in this province that for anybody making \$100,000 it be publicly revealed. If the Conservative members feel that's the kind of interference and that's the kind of hand you want on the public — and that is, let's get out in the open everybody making more than \$100,000 — let's make it a very simple bill. If that's what you want, then put forward the bill.

Mr Murdoch: What do you want?

Mr Leo Jordan (Lanark-Renfrew): Tell us what you want.

Mr Phillips: What do I want? I think it's a bit strange that because you make \$100,000, you've got to reveal your salary for everybody in the province. I think it is very inconsistent to say: "This is just for the union members. This is just for the union. That's what we're going to limit this to." It is — Mr Speaker, listen carefully to this — in my opinion, hypocritical, and I don't mean to say a word that I can't use, but it is hypocritical in a bill to limit it to just one group if you believe as a principle that everybody making more than \$100,000 should be revealed. My friends find it strange the Conservative Party believe that.

Mr Murdoch: That is why we have a debate. We want to hear your ideas. Work with us.

Mr Phillips: I don't agree with it. I don't agree that just because you make \$100,000 you need to be publicly revealed. I have real problems with the bill because I don't think it's designed to be helpful to the public. If it were, I think the member would have said, "Everybody making more than \$100,000 should be revealed." That's not the case, and I think we may see the bill for really what it is, and that is that it is not something that's being helpful to the public, not something that is revealing salaries, but something that is designed to try to get at the unions. But probably if there's any organization in this province that reveals the salaries of its senior people, there's no one who does a better job than the unions. The unions are, by and large, democratic organizations where the bulk of the salaries are already revealed.

I have problems with the bill. I can't understand a Conservative member wanting to bring forward a bill like this. We'll see how the vote goes.

1040

Mr David Christopherson (Hamilton Centre): I say to the member for Scarborough East that his suggestion and premise that anybody would possibly believe, given the track record of him and his government with regard to unions, workers and the rights they're entitled to, that this is anything other than an attack on the labour movement is kidding himself. There is no way that anyone who has watched your agenda could possibly believe you have any intent other than to continue to harass, attack and annoy in any way you can the labour movement in this province, because you need a weak labour movement, you need lower minimum standards, you need an elimination, an eradication of health and safety laws in order to implement the rest of your agenda.

This is the government that brought in Bill 7, which completely replaced the Ontario Labour Relations Act. You legalized once again the use of scabs. There's a terrible strike going on right now at the Ontario Jockey Club. It's a lockout because there are scabs being used. That couldn't have happened under previous legislation. You made that lawful. You're the government that shut down the Workplace Health and Safety Agency. You're the government —

Interjection.

The Deputy Speaker: Order. I would like to remind the member for Grey-Owen Sound that we will have to have a little better decorum. I would appreciate your cooperation in looking to that for me.

Mr Young: Mr Speaker, on a point of order: I thought we were debating Bill 53.

The Deputy Speaker: This is not a point of order.

Mr Christopherson: Mr Speaker, please, the heckling doesn't bother me in the least. I'd rather have the time than your attempting to bring them into any kind of order, because they don't like it when they're being shown for what they are.

The fact of the matter is that the track record, as I was saying before I was interrupted, shows very clearly where this government is at. We only need to look at what they're planning to do to innocent injured workers in this province to know how they really feel about workers.

Take a look at the Employment Standards Act bill that's in front of this House, taking away rights, minimum basic standards of rights that workers have in this province. That's the history and that's the context of this government, wherein one of their backbenchers stands up and offers up this bill, saying that it's meant to help the labour movement, help workers and help unions. Nobody believes that and I'm surprised, knowing the member as I do, that he would believe that anyone would buy into such nonsense.

I say to the member very directly that this is all about going after the unions. When we had the infamous Bill 26, there was an amendment from my colleague the member for Dovercourt to make sure that when there's disclosure for non-profit entities receiving public funding, if a profit entity is receiving exactly the same funding, they would be responsible for having to make that same disclosure, such as in nursing homes. Some of them are non-profit; some are private. The law now says if it's a non-profit nursing home that receives a certain level of government funding, they've crossed a threshold and the disclosure must take place. We moved an amendment that said if it's a private corporation receiving the same amount of money, they should have the same obligation to make the same disclosure. This government voted against that amendment and now they have the audacity to stand in their place today and suggest this isn't about going after unions. You're not talking about empowering shareholders; you're not talking about empowering anyone, other than making sure you can continue to attack the labour movement. That's what this is all about.

I want to offer the honourable member a deal, if I could get his attention. If you're so sincere about being fair and if you really mean what you're saying, that this is not meant to be an attack, it's meant to provide more information to the public domain, I offer to you, on behalf of my colleagues who are here this morning, that if you go back and amend Bill 26 to make sure there's equal fairness with regard to disclosure between non-profit and profit, we'll support your bill. If you want support for this bill, stand in your place today and make a commitment that you will ensure that your government amends Bill 26 so that it's really fair vis-à-vis disclosure between private and non-profit. Then we will support this bill. We will support this bill, because we're not opposed to disclosure. After all, we did initiate the process.

We honestly believe, and I sincerely believe, that this is just part of your continuing agenda to attack the labour movement. I think you hope that you might embarrass the opposition, us in particular, by tying it to a motherhood issue. I believe that's the case. If I'm wrong on all these points, then I am prepared, as I said, to urge my colleagues to enact this bill if you will go back and amend Bill 26 and bring fairness in there, real fairness.

In terms of democracy and disclosure, I defy the member to show me where the labour movement in Ontario is any less open than the corporations in the private sector of this province vis-à-vis the kinds of disclosures they have to make. In fact, I offer to the Speaker, I bring a message to the member from Gord Wilson, the president of the Ontario Federation of Labour. He offers directly to you a chance that if you

want to know what he makes and what all his officers make, drop him a line. He would be pleased to hear from you; he would be pleased to tell you how much their officers make; he would be pleased to show you what is already out there in the public domain.

This government wants people to believe in the old thinking of union bosses and the forced activities of unions out front, forcing people out on strike when they don't want to, ruling like big bosses. That's not the way the labour movement works in this province. If he doesn't know that, he bloody well ought to. One of the problems with this government is that you don't have any workers; you don't have anybody who's really from that world. That's why you can stand up and make the audacious claims that you do about what the labour movement is and isn't.

The fact of the matter is that historically the labour movement has shown how democracy can work in a free society — the exact opposite of what you and many of your colleagues believe. I think you show that every time your Minister of Labour stands up and talks about changing the laws in this province. You have done nothing for workers since you've been in power. All you've done is gone after them, gone after the labour movement, gone after workers, gone after injured workers.

Mr Jordan: What will they do without jobs? You've got to give them jobs. They want jobs.

Mr Christopherson: Listen, you can howl all you want from the back benches. The fact of the matter is that your track record is there to be seen, and all the heckling in the world isn't going to change what you did to the labour movement, what you did to workers in this province and what you're still planning to do.

We had to shame you and force you into public hearings on your Employment Standards Act changes because you wanted people to believe that was just housekeeping: "Oh, don't worry about it. It's just minor little changes, clarifications." We said to you at the time, "It's not; there are significant, major changes." In fact, the labour movement in Ontario was betrayed after the meeting they had with the Minister of Labour, when they had those assurances.

Now you've been forced into having public hearings and you've been forced to admit that it's not housekeeping. There are going to be four weeks of hearings: two weeks across the province, one week here in Toronto and a week of clause-by-clause. That's not because you believe in democracy; that's because we forced you into admitting that you were taking away the rights of workers, and people have a right to be heard before you do that. You didn't offer that right under Bill 7, did you? No, you took away all those workers' rights and you didn't have one minute of public hearings.

In closing, I have not seen, nor am I aware of, a government elected in the province of Ontario that has attacked the labour movement and workers in the way this government has consistently, viciously and with purpose, because your whole intent is that you had to have a revolution, but it's got nothing to do with helping working people. The revolution is to take care of you and your wealthy and privileged friends, and for that you all ought to be ashamed.

The last thing I want to say is the labour movement in this province that I'm so very proud to have come from will never, ever have to take a lesson in democracy from the Mike Harris government.

1050

Mr David Tilson (Dufferin-Peel): I'd like to say a few words. It's amazing how people change in a short period of time. I'd like to make a few comments with respect to Bill 53 as presented by the member for Scarborough East. We are in difficult times.

Interjection: It started with Mike Harris.

Mr Tilson: My friend in the Liberal Party is making some comments. I believe part of the problem started back in his government in the late 1980s. In the 1980s the privacy legislation came in and no one could know anything about anybody or anything. It was completely secret. We wrote cheques; we wrote blank cheques. We had no idea what we were paying for anything. I tell you that gradually society became a little bit concerned with this. Taxes were going up. We were concerned about waste. We were concerned about bureaucracy. We were concerned about corruption. We were concerned about all kinds of things and people became a little bit more demanding.

In fact, it started with the NDP government. Mr Laughren started this process and he introduced regulations, I believe it was to the security act, but it had to do with regulations. He introduced those regulations on October 14, 1993. At that time he introduced regulations which disclosed the compensation paid to executives of companies which are publicly traded in Ontario, and part of the Hansard was read by my friend from Scarborough East. I won't repeat that, other than to say that the concerns of people that changes — to repeat Mr Laughren as finance minister:

"These changes benefit a very large group; namely, individual and institutional investors that have put their money into companies whose shares trade publicly in Ontario. They have taken on ownership, with all the risks and rewards that attach to ownership. We believe they, in return, have a right to full information on the companies they own. In particular, they have a right to know how much the people who run those companies are paid and how that decision was reached. These new regulations will ensure that they are told, and told in a way that is complete and easy to understand."

That's when the philosophy started. It started with the philosophy of Mr Laughren. He felt there should be more openness, people should know what's going on with their investments.

Then we came to the conclusion — there was a debate. Some of us were on a committee that reviewed, I believe it was — there was a municipal privacy act or a provincial — there are two acts. I forget which one it was that we reviewed, but we spent some considerable time reviewing the issue of privacy. In fact, all three parties agreed that there had to be more information revealed about the public information, the public salaries. In turn, I don't think there was too much opposition when the finance minister stood in his place recently and introduced legislation that would reveal the salaries of people who work in the public, over \$100,000, and that applied

to anyone in the education field, the hospital field, anyone working in the public sector. There was some opposition to it, as there is to everything, but it was generally well received.

I must say this is a philosophy that I support, and I support the member for Scarborough East's philosophy, so much in fact that I introduced a similar bill back on November 3, 1993. We didn't have an opportunity to debate that bill, but I introduced it. It said essentially the same principles that the member for Scarborough East is putting forward. So I support him completely with that.

This private member's bill will certainly require the details of salaries paid to the union leaders, which would in turn be tabled. The NDP brought forward regulations that will ensure that the corporate executives' salaries are released. The Conservatives brought forward legislation that revealed and indicated that those leaders in the public sector's salaries were revealed, and I support this philosophy.

The union leaders have obtained a tremendous amount of power. I think we all respect the unions and there's a need for the union movement in our society. There's no question that workers of our province, of our country, need unions to exist, to support what they are doing. The difficulty, of course, is that the union leaders have acquired an amazing amount of power. They're closing down cities. They're doing a whole slew of things that I don't know whether the union movement necessarily supports, but they're doing these things.

People have no idea. They have to go and work for a company, and if they want to work for the company they're going to have to join that union and they're going to have to pay those union dues, and yet they don't have a clue as to what the union leaders are making or the benefits that they're making.

I hear stories, for example, that OSSTF has a private plane.

Interjection: Oh, no.

Mr Tilson: Well, I don't know whether that's true or not. I hear these things — and the benefits that they receive.

The public does have a right to know. The taxpayer pays teachers, it pays nurses, it pays police officers, it pays firefighters, it pays a whole slew of people, and out of those are paid union dues. So the public is involved, our society is involved. Our society is being affected from what is being done by unions.

I listened to the Liberal finance critic and he did have some points; I will acknowledge that. On the other hand, why can't we scrutinize the unions just like we scrutinize other aspects of our society? These people are having a major effect on our society, not just the workers, not just the union members, but all members of our society.

I submit to you that shareholders, if they don't like what their corporate executives are doing, if they don't know what their corporate executives are receiving for salary, they can sell their shares. The workers don't have any choice. They have no choice. If they want to work, if they want to get a job, they have to stay with that company and they have to take it and they haven't a clue what's going on. They haven't a clue what's going on with respect to the union executives.

I will conclude. There's another member from our caucus who would like to say a few words. Union leaders have an obligation to account for what they're doing in our society, and that's why I support this bill.

Mr Young: I will support Bill 53. Before I talk about it, I would like to comment on some comments the member for Hamilton Centre made that there are no workers in the PC party, which is really absurd, and that there are no union members. There are a number of union members, former union members in our party. A number of our caucus members are married to union members. I have been a member of different unions for 18 years of my life, and I've also been a union representative or the equivalent of a shop steward. As usual, the member for Hamilton Centre doesn't know what he's talking about.

With Bill 26 we attempted to shine a light on salaries of people who receive government money and we succeeded with that, and this bill is perfectly consistent with that.

I agree with the member for Dufferin-Peel, we have unions attempting to shut down cities, we have unions that with just-in-time delivery in our factories can shut down an entire industry temporarily. Every citizen in Ontario is affected by that and I believe every citizen should have a right to know how those people are remunerated. I also believe that the union membership has a right to know how much money their union leaders are making while they're out on the picket line.

For any of my colleagues who don't support this bill, I'd be really interested to know what's the secret and why the secret. The bill is clearly in the public interest and I will be supporting it.

Mr Tony Silipo (Dovercourt): In the few seconds that are left, I just want to say that in fact, as members know, I come to this particular time in private members' hour very much in a non-partisan way, but when I see a piece of legislation like the one presented to us today from the member for Scarborough East I have to respond in a clearly partisan way because the bill before us is intended, as I read it, in a very partisan way. It is part of the Tory agenda to pick on unions, to pick on working people, because if the concern here really had to do with disclosure, there were opportunities through Bill 26 to amend the legislation when we put forward a proposal to do that.

There are other aspects that could be covered under this kind of bill, but of course we're not talking here about corporations, we're not talking about disclosure. What we're talking about is continuing the attack on public sector unions, on private sector unions, on working people. For that reason, I cannot support this legislation.

1100

The Deputy Speaker: The member for Scarborough Centre has two minutes.

Mr Gilchrist: While I appreciate the comments made by members all three parties, I particularly appreciate those that dealt with the bill. With all due respect to the members opposite, a number of our members, the member for Hamilton Mountain and the member for Oshawa in particular, canvassed dozens of union members in their ridings and, quite frankly, the sentiment was that this bill didn't go far enough.

In summary, this bill is pro-union in the sense that it promotes accountability and will put to rest once and for all any perception that those organizations are not responsible. It is pro-union-member. It improves the access of the rank-and-file members to the financial information within the union and particularly for any salaries over \$100,000 a year. Let's look at it in the context.

I personally don't believe there will be hundreds of names on that list over \$100,000; I wouldn't be surprised if it's 10 or fewer. I would honestly ask the members opposite to whom they believe their chief responsibility lies, to those 10 people or to the hundreds of thousands of members of the trade unions and, I should point out, to the other hundreds of union executive members who won't be on that list?

I would also direct their thoughts — and the member for Hamilton Centre raised some legitimate concerns. Obviously, I can't commit to opening up Bill 26, but I could commit to this: If this bill goes to committee, of course I would be prepared to debate and entertain any reasonable amendment to this bill if you believe we can do more to open up accountability across other sectors of our economy.

This bill is a positive and constructive addition to the existing sunshine laws which have been implemented by both the NDP and the current government. It provides full access to information without onerous or excessive bureaucracy. It supports the principles of democracy and full participation of the membership on which the union movement was founded. If you believe in honesty and integrity within the union, if you believe the rights of union members are paramount, then this bill addresses the concerns and those principles and gives an important new right to the hundreds of thousands of working Ontarians who participate in and contribute to the union movement in this province.

MUNICIPAL AMENDMENT ACT, 1996

LOI DE 1996 MODIFIANT LA LOI SUR LES MUNICIPALITÉS

Mr Ruprecht moved second reading of the following bill:

Bill 51, An Act to amend the Municipal Act / Projet de loi 51, Loi modifiant la Loi sur les municipalités.

The Deputy Speaker (Mr Bert Johnson): The member for Parkdale has 10 minutes.

Mr Tony Ruprecht (Parkdale): This bill will to some degree close a loophole that was recently opened in the Liquor Licence Act. As all of us know, the Minister of Consumer and Commercial Relations has decided to extend alcohol serving hours in Ontario from 1 am to 2 am, which does not necessarily mean patrons will be leaving at 2 am but they may choose to leave at any time.

What reasons has the minister given to change the alcohol serving hours in Ontario? He has given a number of reasons. One is that he wants to discourage cross-border drinking, where bar patrons in border towns finish at 1 am, then drive across the border to the United States and finish at other times. Another reason, he says, is that he wants to keep money in Ontario, which means he

wants to have more money coming to the provincial treasury. Another reason, he says, is to bring Ontario in line with neighbouring jurisdictions and to bring Ontario into the 20th century.

Has the minister considered the downsides? Has he considered the consequences of this act? Those who live, in cities across Ontario, next to open patio bars will testify to the disruption of their lives. Let me quote some of the letters I've received.

This one is from Ila Bossuns from Toronto: "Liquor serving hours until 2 am may be all right in suburban areas where homes are a safe distance from commercial strips. They are not suitable in many parts of Toronto where, typically, residents bought houses before restaurants and bars arrived on the scene. Many bar patrons exit at closing time drunk, urinate on neighbours' front lawns, smash their last beer bottle on the sidewalk or against someone else's front steps, scream aloud, and race cars through sleepy streets. With your new legislation, they can now do this as late as 3 am. We downtown residents are doing the right thing — living close to our jobs and using our cars less — but we sure don't want to be penalized for this."

Further on she says: "Municipal noise bylaws are not worth the paper they're written on, as I know from years of experience. Noise violations are extremely difficult to prosecute. The combination of extended hours and weak, unenforceable noise bylaws leaves many of my constituents vulnerable to noise and to the loss of sleep. I hope you will help undo this problem."

And here from the mayor of Scarborough: "Your legislation addresses an apparent loophole in the act which would allow open-air patios serving alcoholic beverages to remain open for the same hours as indoor facilities" — in short, a real problem. "Many of these outdoor establishments are in close proximity to residential communities and it is appropriate that they be governed by different hours of operation. The noise level of some outdoor establishments is such that it may impinge on the right of local residents to enjoy a reasonable level of peace and quiet in the neighbourhood, particularly in the early hours of the morning."

"Further to this, it is clear that by extending the hours for serving liquor from 1 to 2, the legislation is in conflict" — and mark the word "conflict" — "with our local noise bylaws. Infractions under the noise bylaws, which may require constant monitoring, in addition to the associated costs and disruptions of municipalities in prosecuting offenders, can be avoided by giving municipalities the power to control in which areas the extension of hours for serving liquor will be allowed."

And I have letters from local residents all over Ontario. This one is from the Roncesvalles-MacDonnell Residents' Association: "We agree that municipalities should be given the power to determine whether shorter drinking hours are more appropriate in certain residential areas. We are in a crisis situation with regard to activities that do not contribute positively to our locality, and we continue to struggle with issues of prostitution, drug dealing, drunkenness, rowdiness and other anti-social behaviour, which is exacerbated by a perceived oversaturation of liquor-licensed establishments in the area. With

the extension of liquor-serving hours from 1 am to 2 am as of May 1, 1996, we see these problems being exacerbated further. As residents, we object."

Dovercourt Park Area Residents' Association: "An extension of operating hours in many cases means another hour for prostitutes, drug dealers and alcohol abusers to carry on their late-night, anti-social activity connected with the numerous licensed premises in the west end of the city."

And here from the chair of the Ontario Neighbourhoods for Responsible Alcohol Sales and Service, Simone Cosenza: "Extended hours for licensed establishments is a great disappointment. None of the many recommendations made by resident and neighbourhood groups over the years have been adopted" — none of them. "Extended hours cater to the demands of the restaurant and alcohol industries, not the communities left to deal with the devastation resulting from the irresponsible service of alcohol. Neighbourhood groups were not even consulted regarding these hours."

1110

Here is one from the city of Toronto's chief public health officer, and listen to this one very carefully, because this is one of the most important items that has direct impact on this bill. He says: "The expansion of hours of service in Ontario raises important public health concerns. Research studies conducted in Europe and the United States link longer hours of service at both licensed premises and retail outlets to increases in alcohol consumption, public disturbances and drunkenness, violent crimes and alcohol-related traffic injuries and deaths. Clearly the recent increase of alcoholic beverage services to 2 am is detrimental to the public's health."

Has the minister considered the consequences? The argument here today before this Legislature is not to reduce drinking hours from 2 o'clock to 10 or to 9 or to 8, but simply to give the municipalities the right to discuss and empower them to reduce it by one hour.

What's the big picture? This government will pass a law that automatically suspends a driver's licence if a driver is impaired. Here on the other hand we're tempting them by saying: "Please, stay for one more hour. Have another drink before you go on the road." Does that make sense, I ask you today. Temptation: that's what this is about. Can we extend the hours? How many deaths are related to alcohol sales in Ontario? We have the figures: 19,000 alcohol-related deaths. That should wake up anybody who's sleeping today.

What's the small picture? The small picture is this: Let's not go very far away from here. If a person serves some of the patrons until 2 o'clock and he or she wants to go home at 2 o'clock, what vehicle are they going to use? Did you know the subway shuts down at 1:30? And here we're staying till 2 or maybe 2:30. How will they get home? The services then must necessarily be compensative, meaning that there should be a corresponding service to the extended hours.

What do the police chiefs say about this across Ontario? Do they have extra manpower in terms of enforcement? The answer is no. Do they have extra staff? Do they have extra money? No. Absolutely an abject no is the answer to this question. Therefore, has the minister

thought about this really in close context with the other problems?

The focus today, I submit to you, is on this Minister of Consumer and Commercial Relations. That's the focus. He should be here today, because he has promised the people of Ontario that indeed there will be a balance and this loophole will be shut. Has he done that?

Let me give you an example: On February 1 he's quoted in the *Toronto Star*. "Sterling said he will give municipalities the power to determine whether shorter drinking hours are more appropriate in residential areas with outdoor patio bars" and he's quoted as saying — this is Mr Sterling, who's the minister — "We have to respect the people who live in the area to ensure they have some quiet enjoyment of their own residence, and that after certain hours people are expected to sleep."

Has this minister kept his promise? Today I ask you. He should stand up and address this loophole. He should stand up and say to the people of Ontario either he didn't know what he was doing or he will reject and he will change the law.

Ms Marilyn Churley (Riverdale): I'm happy to stand in support of the member for Parkdale's bill today. As the ex-Minister of Consumer and Commercial Relations, I of course had to deal with this issue at that time. There were certainly compelling arguments made by the hotel-motel association; owners of bars and restaurants of course were at that time in favour of extending the hours. My ministry and myself did take it very seriously and did look at it. We were all trying to do our best to deal with the issue, especially at a time of recession, when people are not spending as much money as certainly the bars and restaurants would have liked to see.

We did look at it very carefully and at that time, in the research we did and the consultations we conducted, AMO, the Association of Municipalities of Ontario, expressed concern. I recall it very well, because we thought that probably the first body that we should talk to about the possible implications of extending the hours should be the people who are closest to their communities and therefore know the kinds of problems which exist in communities with drinking and driving and other problems and policing. At that time — and I don't know what AMO has said to this government; I think that overall AMO has a somewhat different relationship, to put it mildly, with this government than ours — but I certainly can say that they were very concerned and I believe they wrote me a letter to that end.

We also consulted with the chiefs of police and they too expressed concerns, for the reasons that my colleague from Parkdale mentioned today. There were concerns about drunk driving; there were concerns about not being given extra money for extra policing after hours.

There are certainly more concerns in the major urban areas like Metro Toronto and other areas that the public transportation system closes down before 2 o'clock and furthermore, with cutbacks — and now I would say particularly under this government there have been more cutbacks, and there are certainly not going to be — I know that some bus routes in fact are being taken away. There hasn't been any discussion that I have heard in this

House of trying to find ways to extend the public transportation times to correspond with the closing of the bars.

That is a major concern because, as my colleague from Parkdale just mentioned, drunk driving is a problem. You could say, "Okay, everybody should take a cab home," but let's face it, the evidence shows that people don't always do that. They will get in their cars, if there's no option of public transportation, and they will drive. Those were the issues that were before me at the time, and I'm sure they were before Mr Sterling when he was considering this.

Another issue was brought to my attention. Recently I've received letters from women and others who are involved in the area of violence against women. They have expressed concerns again with cutbacks and evidence they have that there is a direct link between the consumption of alcohol and spousal abuse, that this in fact could increase spousal abuse. That's a concern that I took very seriously as critic for women's issues, and I think we all should.

I'm not sure, I haven't heard any guarantees from the minister that these very serious areas of concern have been looked into, and I certainly have heard no discussion around innovative ways of dealing with these very obvious problems and implications of extending bar hours.

I also had the opportunity to deal with this issue when I was a city councillor for ward 8, which is in the riding of Riverdale. When I ran for city council in ward 8, one of the hottest issues was boulevard cafés. I remember being very surprised at how hot this issue was, but it's because — and Parkdale and other ridings I know have the same problem — often main streets abut the residential streets.

The Danforth is an example of that. The Danforth is a very vibrant area, Greektown, wonderful restaurants, wonderful bars and great food, and I encourage all people in this House to come to the Danforth and try the many, many varieties of foods and shops on that street. But I do recall that at the time there were people running around, and I helped, gathering petitions against boulevard cafés. After I got elected, I chose to work with both the businesses and the residents to find compromises, because I believed it was important for businesses, the restaurants on the Danforth, in the summer hours to be able to have boulevard cafés. They're very popular. We all like on a summer's evening to go and sit outside at a café and watch the action around us.

1120

I also had a lot of sympathy for the residents who had to deal with the noise, with patrons leaving the bar late at night, often drunk and unruly, certainly not in all the restaurants and bars, but there were a few that were problems. But even for the ones that did not have problem patrons, if you had a house literally right behind the bar on an abutting street, that could create really serious problems.

One of the compromises we came up with, for instance, was for the actual café itself to shut down a little earlier, before the 1 o'clock closing time. Those kinds of compromises were very important.

That is why I'm supporting this resolution. I don't know if my friends at city council will thank me for this if we support this bill today, because of course it places the problem squarely in their hands and they will have to deal with these same issues that I had to deal with around boulevard cafés and trying to mediate between and work with the residents and the businesses to reach reasonable solutions. But I do believe it is absolutely vital that the municipalities have this power.

I know that when I was the minister, I say to the member for Parkdale, on a couple of occasions I met with — I don't know if you joined them at any time — the local city councillor and people from that area who were very concerned. I don't know how big the problem continues to be in the west end, but in certain areas there were serious problems with bars, with drug dealing happening, and the residents were fed up. They were able to work with their city councillor, who came to petition me about this. They made it very clear at that time that they were not in favour of extending bar hours in their area. So their city councillor is very well aware of the problems that exist in that area.

It seems to make eminent sense to me that in areas where there have been problems and continue to be problems, the area councillor has the opportunity to work with the residents and the businesses and to work it out with city council on a very local level to determine what is best for their locality.

I understand that for the government it was a difficult problem. I had very mixed feelings about trying to determine the best thing to do with this issue. I know that had AMO and the police been satisfied that they could really control the situation, perhaps I might have moved in that direction, but certainly had I done so, I would have made it a municipal option for the reasons that I've stated.

I want to congratulate the member for Parkdale for bringing this before us today. I think it's eminently reasonable, and I expect over time, after bars have been open for a while until 2, the government will be hearing from people who would like to have the opportunity to deal with it on a municipal level, would like to have the opportunity to go down to their city council, to talk it over, to have deputations, to have hearings, and have the community itself decide whether it makes sense for them to go ahead with that option or not.

I believe we were the only province that still closed bars at 1 o'clock. I understand the pressures there and I understand the reasoning behind the Ontario Hotel and Motel Association wanting the extension. I believe they could live with the municipal option, because I'm sure in some cases the municipality would certainly go ahead and allow the extension.

So I do urge all members to support this bill today. I believe it is in the interests and the safety of our constituents to give the opportunity to municipalities to determine whether bars should be open until 2 in the morning.

Mr Jim Flaherty (Durham Centre): I rise today to speak to the honourable member for Parkdale's private member's Bill 51, An Act to amend the Municipal Act, which would allow municipalities to pass bylaws that would restrict the sale and service of beverage alcohol in

licensed establishments to 1 am daily and 2 am on New Year's Eve. The member's bill raises important issues which I would like to address. We have a number of concerns with the bill that has been introduced.

As all members of the House are aware, on April 17 my colleague the Honourable Norm Sterling, the Minister of Consumer and Commercial Relations, announced a number of changes under the Liquor Licence Act and the Liquor Control Act, including a later end-service time or closing time. Ontario's bars and restaurants now have the option, since May 1, of selling and serving beverage alcohol until 2 am daily and 3 am on New Year's Eve. As I say, that is only since the first day of this month of May 1996. Previously, Ontario had the earliest closing times and the earliest end-service times in Canada and among the earliest in the bordering American states.

The decision to extend the hours of bars and restaurants was influenced in part by the results of consultations with key stakeholders. The ministry also took into consideration the experience of other jurisdictions with later hours, as well as special events in our province which allowed later end-service. We had experience with that from later closing times at these special events; for example, the World Series, the du Maurier Jazz Festival and the Toronto International Film Festival.

This review did not suggest that Ontario would experience any significant problems arising from a one-hour extension of end-service times. Extending the hours of sale and service of alcohol in licensed establishments represents a first step towards updating Ontario's liquor regulations to reflect today's attitudes and the fact that most Ontarians are responsible users of beverage alcohol. A later end-service time will be good for the tourism and convention industries and will allow our hospitality sector to better compete for business with neighbouring jurisdictions which, as I say, have closing times that are now similar to our own.

The honourable member for Parkdale's private member's bill would give the municipalities the power to limit end-service times. During the consultation process with key stakeholders, options were considered which would have allowed municipalities some flexibility in determining end-service times. These options were rejected because of the potential problems that could arise.

Private member's Bill 51 is inconsistent with current, recently amended, regulations under the Liquor Licence Act which allow for a later end-service time in licensed establishments across the entire province of Ontario. It is also inconsistent with the traditional role of the province in the regulation and control of the sale and service of alcohol. This is an important responsibility for the province. The sale and service of liquor is the subject matter of provincial legislation under the Liquor Licence Act and the Liquor Control Act. The province has traditionally occupied this field with respect to regulating the sale and service of liquor. The province should not, in my view, give up its jurisdiction over the regulation of the sale and service of alcohol in Ontario.

Since the regulations were amended May 1 of this year, one may ask what we have seen from practical experience, the pragmatic consequences of the regulation. What we have seen in the bordering areas, in the Ottawa

area for example, is that more Ontario consumers of beverages are remaining on the Ontario side, spending their money on the Ontario side, rather than travelling across in that area to the Hull side.

1130

More importantly, as we move into the summer season and into the cottage season in areas like the Ottawa Valley, where it has been common in the past for young people in particular, when the bars closed early in Ontario, to travel across distances of 10, 15 and 20 miles each way after having consumed beverages and returning to Ontario later, these excursions, because of the earlier drinking hours in Ontario, have resulted from time to time in carnage on the highways of Ontario in that area. These problems can and have been alleviated to some extent by the extension of the closing times in Ontario.

There are concerns with respect to municipal regulation relating to migration of drinkers across municipal boundaries, particularly in areas like the GTA where we have numerous municipalities and many city and town councils, each of which, if the honourable member's bill were to be passed, could be setting its own closing times, which would inevitably result in persons travelling on the highways from municipality to municipality, depending on whose drinking hours were later, from one closing time to the other.

In addition to the reality that this is an area of provincial jurisdiction, there is the local option that the Liquor Licence Board of Ontario takes into consideration when the concerns of residents are heard on licence applications and on licence renewals. We have a system in place now where local residents concerned about a particular establishment or a patio at a particular establishment have an option through the licensing process to make their views known and have a proper hearing on those views through that existing licensing process. In addition, the regulation is not mandatory; that is, if a restaurant or bar owner wishes to close early, that restaurant or bar owner certainly has the option to close early.

The member for Parkdale raised the issue of the disruption of lives of persons living near open patio bars. Again I say in response that the LLBO takes into account the concerns of local residents, including residents who live near outdoor patios, when it considers liquor licence applications and applications for renewal of liquor licences.

For all of these reasons, I cannot support this private member's bill.

Mr Mario Sergio (Yorkview): I'm very happy to speak on this private member's bill our colleague the member for Parkdale has introduced. I wish to correct at the outset that, contrary to what perhaps erroneously the member for Durham Centre has said, this bill has nothing to do with the hours pertaining to serving liquor, wine or whatever in the various places. It is strictly giving the local municipalities the possibility to decide for themselves which locations are best suited for those particular hours. It has got nothing to do with serving until what time and so forth. It is strictly giving the local municipality the possibility to decide what is best, which location is better suited, where this would not cause any problem for the abutting residential community.

Nothing angers residents more than the loss of privacy and enjoyment of their property. Contrary to some of the comments that this is restricted to bars along commercial strips and stuff like that, let me tell you that restaurants have a right to establish themselves in an industrial-commercial area. I'll give you an example in my own community. I have a huge industrial area which is next to residential communities. Those areas were established many years ago without any consideration for abatement of noise — barriers, if you will, even a solid fence where at least the visual pollutants or complaints would be abated. There's nothing at all.

The presentation of Bill 51 comes from someone who has had municipal experience, the member for Parkdale. What he's saying, and it's very true, is that it is very difficult, unless the local municipality has the power to control situations like this, to eliminate the problem. I will give you an example. There have been restaurants next door, practically back to back with residential communities, and it's almost impossible to control what comes out at times from those establishments. If you complain, often enough the local municipality does not even have enough inspectors to go quickly and inspect those particular locations. Once they do, they may lay charges. Once they go back time and time again to establish if indeed there are problems associated with that particular establishment causing trouble for that particular neighbourhood, once charges are laid, it will take forever to take them to court. Once they go to court, you only need an appeal to the Ontario Municipal Board just in case the decision should not be favourable to the establishment, and then again the residents are at the mercy of the law. So I think it is quite appropriate to let the local municipality decide what area would be better suited for this kind of establishment.

The consequences are enormous. As I said before, nothing angers the local residents, who pay high taxes, more than when in summertime they cannot enjoy the outdoors, the backyard of their own homes. Wintertime is wintertime; in summertime people should be entitled to peace and quiet enjoyment of their property.

As I said, especially in my area we have a huge problem where years ago industrial areas were allowed to be built next to residential communities. Let alone that now residential areas are being annoyed to no end with respect to all kinds of noises, pollutants from industrial users, industrial factories which produce noises galore, which produce pollution to no end, either air or other chemical substances. In many cases, even garages are allowed to be located next to a residential community, and in the summer they work with the doors open facing the residential community. Know what? They even do spray painting outside. It's quite terrible.

Contrary to what the member for Riverdale was saying, that yes, indeed, the strip on Danforth is wonderful and we are dealing with bars in the open, we are dealing with bars located in an industrial area abutting a residential area.

This bill, which is well thought out, goes a long way to eliminating some of the most annoying problems that affect a residential community. I want to leave some time for other members of my caucus. I would also like to

urge the members of the House, especially on the government side, to support the private member's bill introduced by the member for Parkdale.

1140

Mr Tony Martin (Sault Ste Marie): I'm happy to rise and offer a few thoughts on this subject as well, but I have to say at the outset that I'm not sure where I stand on it. I'm not sure whether I support this bill or not, because I haven't had a chance to really get my fingers into it, get my head around it. I do suggest, though, in the interests of democracy, that it is really important that issues of this sort be raised and that they be debated in a public forum.

I don't know where this issue was addressed or talked about anywhere across this province. I heard the member for Durham Centre say there was public consultation with the major stakeholders. Who are those stakeholders? Who did they talk to? I don't know. I certainly wasn't invited into any meetings, and I know there was no discussion in my community about this.

The members for Parkdale and Riverdale raised some excellent questions out of their own experience and coming from their own constituencies. People are saying to them: "How does this affect me? How does this impact on our community? What's it going to do the moral fabric, the transportation issues, those kinds of things?" I really don't know.

I have to say, though, that this approach to doing government by this government doesn't at all surprise me, because it's typical of the way it operates. We wake up in the morning and listen to the radio and, bang, something new, something important that affects the constituents we all represent. Here it is, a new regulation, a new piece of legislation, and nobody's had a chance to talk to it, a chance to ask the very valuable questions that need to be asked, and it affects all of us. I don't think you guys understand that, that governing is a very sophisticated, complicated process and it takes a long time. You do yourselves and the people you serve a real injustice when you don't take the time to think these things out and to answer, as much as you can, the questions posed by very sincere and interested and concerned citizens about some of these things.

It's like when I woke up that day in July 1995 to hear that a lot of my friends and neighbours were going to be denied almost a quarter of the money they need to put food on the table for their children, to pay the rent, to participate in the life of the community — no consultation with anybody I know of around how much, how high, and how this is going to impact. Did you know that taking 22% out of the pockets of the poorest in my community takes \$2 million a month out of the economy of Sault Ste Marie, \$2 million that is not being spent in the grocery stores and the malls of my community, with the impact that has on small business? That's an example of how something that seems to be in a silo over here all by itself, as a very direct issue you're trying to address, has far-reaching ramifications.

I suggest to you that this piece of work delivered by the Minister of Consumer and Commercial Relations which we're speaking to today because the member for Parkdale brought it forward is just such an example.

I remember when we were dealing with the issue of Sunday shopping and the consultation that happened around that. My God, we were all over the province, we were battered hither and thither, and eventually we came to a conclusion. I remember walking up and down the main street in my own community listening to business people who were split on the issue. But eventually, after some time doing that, we did find a solution.

I say to the member for Parkdale, congratulations. It's great that we're talking about this this morning. I don't know how I'm going to vote yet, though. I'm still listening.

Mr Derwyn Shea (High Park-Swansea): If there's any member of this House who can speak to wet/dry issues, I probably have the distinction of being able to speak out of both sides of my mouth. The fact is that High Park-Swansea still embraces one of the largest dry areas in Canada and it has been going through its own agony of decision-making about how it will engage in this issue of alcohol and licensed premises and so forth, and it's not an easy one to deal with.

As much as I share a concern reflected in the member for Parkdale's motion, I am puzzled by the motive. If the member chooses to help municipalities by way of this bill, of course his bill won't do it. And if he wants to help neighbourhoods, which I believe he does, his bill won't do it. If he really wanted to provide some assistance, he might be suggesting a way to bring about a wet/dry plebiscite once again. Perhaps Parkdale and other areas of this municipality — certainly having listened to his comments from Ila Bossons, the medical officer of health in the city of Toronto and so forth would lead me to believe that perhaps they'd like to move towards shortening of hours. They might even like to engage in a public debate on the ability of going dry, except for certain areas.

If that's the case, I suspect the minister would welcome that information, would welcome that kind of advice from municipalities. Indeed I would encourage the member to perhaps pursue that direction. But I'm curious. When the member for Parkdale was in cabinet, no motion of this sort came forward in terms of dealing with 10 o'clock or 11 o'clock. Only when we suddenly went to 2 o'clock — that is a one-hour extension — did the alarm bells ring.

I may suggest that everyone who has responded to the question of the extension of one hour has generally been very much in favour of that extension. I want to make it clear: There was consultation. The minister, when he made his statement to the House — and I would suggest we go back and read that and ask him for further elaboration — made it very clear there had been consultations. We're aware, for example, of the response from the Addiction Research Foundation, which had made some comments about the extension. We're aware of the concerns expressed by the various stakeholders when we said, "Maybe we should leave it to local option" and what that would mean in terms of checkerboarding municipalities across this province, what it would mean to my colleague the member for Sault Ste Marie's municipality, which faces significant competition across the border, and that holds true for my colleagues from

Ottawa and St Catharines and Niagara Falls and Windsor and elsewhere. They understand the importance, particularly when they speak passionately on behalf of their small businesses, what it means in terms of competition.

You find a way of trying to balance the importance of the hospitality industry, the importance of trying to provide some additional incentive for the tourism industry and all the jobs that creates, with the concern of balancing the rights of neighbourhoods. That's where I have some concerns in favour of the motion brought forward by the member for Parkdale, because he quite rightly points out that there are some specific bars and restaurants that are not well controlled by the owners, where there is bad behaviour after hours, indeed even during hours, when patrons will go out — we've had all kinds of examples of them going out and urinating on lawns and a range of other kinds of wrong behaviour around those establishments that are not well run.

In that regard, I think we have a reason, as a House, to say to the minister that we need to bring forward new legislation that will give control to the Liquor Licence Board of Ontario, the ability to go back and revisit those licences and perhaps withdraw those licences from circulation.

It is important for us to note that right now, for the member to effect the kind of protection he'd like to effect for his neighbourhoods, it would require a complete change for the entire municipality. You couldn't come along and simply say to this one restaurant, "You will have to close at 1 o'clock" — although I point out that there is that kind of control right now for patios. I'm surprised the members are not aware of that. In fact, municipalities can put on different hours of operation for the outdoor patio. Although that does not apply to the indoor operations, it does apply to the exterior, because there's real concern about how the outdoor patio, in terms of noise violation and so forth, may impact upon neighbourhood residential communities, and rightfully so.

It strikes me that we need to be moving in a direction of holding more and more accountable the men and women who hold licences for individual establishments and the way they conduct their business, to ensure that they are sensitive to the local neighbourhoods, to ensure that the local neighbourhoods have an opportunity to come back and hold accountable the operations of those establishments.

If this government, as former governments did, concurs that the holding of a liquor licence is a right, then I think we have also an equal right to hold them accountable on behalf of neighbourhoods for how they behave themselves, how they conduct their establishments and so forth.

For that reason, I find that this resolution put forward by the honourable member for Parkdale doesn't go nearly far enough in the area of individual controls on establishments by neighbourhoods that I would want to see put into place and that I would strongly support. I would welcome this member going back to city council perhaps and asking them if they'd care to make a resolution to bring forward to the government to allow the city of Toronto to close up operations at 1 o'clock, but I don't think it should come forward from a member of this

House. I think that recommendation should come forward from the local councils if that is indeed their need.

More important, neighbourhoods have got to find legislation enabling them to have tighter control on local establishments that are not comporting themselves in the fashion they should, particularly those purely residential neighbourhoods that are being impacted negatively by operators of licensed establishments who are not giving due care and concern to the way they're operating. For that reason, I would welcome this member rethinking his bill and bringing forward one that has far more teeth in it to give greater effect to protection of neighbourhoods.

1150

Mr John Gerretsen (Kingston and The Islands): I'm very pleased to join this debate on an issue and general topic I feel very strongly about. There's something that has to be said first of all; that is, what the private member's bill is really asking for is municipal autonomy with respect to one hour — one hour only. We're talking about whether a municipality should have the right to extend it from 1 am to 2 am. That's all we're talking about here. The minister, by regulation, has already extended it to 2 am, and we're just talking about rolling it back one hour; that's all the municipal power or autonomy we're talking about.

First of all, I think we should differentiate between two kinds of establishments in terms of drinking areas, bars and restaurants etc. You have the establishments located in many of our downtowns, the tourist areas in many of our communities, which are usually not in residential areas. I think those kinds of establishments have to be totally differentiated from the kind of drinking establishments located in residential areas.

I think it's fair to say that the establishments located in the downtowns, in the tourist areas, in the non-residential areas of our communities, are basically no problem as it relates to people being able to sleep at night, because they're not in residential areas. The problem from a municipal viewpoint has always come about in those areas where these establishments are located in residential areas, where the residential community is upset by some of the behaviour that some of the patrons may be involved in, either during the hours of operation or immediately after the hours of operation. It's fair to say that the local municipality in those situations is probably the best to determine what is good for that community, after it's had complete consultation with the residents in that area. Certainly from my experience, and I'm sure the same thing applies to most of the other municipalities in this province, a municipality will not make a change in these areas without having full and open public consultation.

Which leads me to another issue, that I'm not sure what kind of consultation took place with the industry in this regard. I find it very interesting that some of the golf courses, according to the latest media reports, are now saying, "We really didn't want to have this extension of people being able to drink on the courses while they're playing a game." It's also interesting to note from the letters I've received from my own community, from people who operate some of these establishments, that these people did not want to have it extended from 1 am to 2 am at all; they were all located, in this particular

case, in the tourist parts of the city of Kingston. I don't know who they consulted, but they certainly didn't consult the industry as a whole. It may have been just some representatives of that industry.

Dealing with a point the member from Swansea raised, the issuing and the holding of a liquor licence by an establishment is a privilege; it isn't a right. It's a privilege that once an establishment adheres to certain rules and regulations it's entitled to have the licence, but it's certainly not one that goes to them as of right.

It's very difficult to say, as the member for Oshawa said, "If an establishment wants to close, it can just close unilaterally." From a practical viewpoint, that happens in a situation where you may have one particular establishment with no others closely around. We all know, just from the pure notion of how competition works in any industry situation, that if you've got three or four bars closely located to one another and one of the owners unilaterally decided to close an hour early, in the long run that particular owner's business would be hurt quite substantially. From a practical viewpoint, when you talk to the operators of these bars, it simply wouldn't work. The only way they can be competitive is to be open for as long a period of time as their competitors immediately next door.

What this basically boils down to is the whole issue of local autonomy. We have heard from this government, and certainly from the Minister of Municipal Affairs and Housing, on numerous occasions since last September that he is a strong believer in local autonomy.

Interjections.

The Acting Speaker (Mr Gilles E. Morin): Please keep your tone down. Thank you.

Mr Gerretsen: Thank you very much, Mr Speaker. I appreciate your intervention in this regard because I'm sure the members opposite have an open mind on this issue and they have not decided which way to go on this particular motion until they've listened to all of the arguments, because that's what the people of Ontario expect. They expect, particularly during private members' hour, people to come here with an open mind to listen to the views on particular issues, issues that are of concern to us rather than of the government, so we can individually decide as to how we vote on one of these matters. I'm sure that you have an open mind about it and that you will listen carefully not only to myself but to other people as well who will be speaking on this.

This is an issue of local autonomy. It's an issue that goes right to the heart of local government. Who is in the best position to determine what is good for a particular neighbourhood? Who is in the best position to determine whether or not, in this particular case, a bar should or should not be open past 1 o'clock in the morning and how that will affect the residential neighbourhoods or the people who live in the area?

It's very interesting. In the letters I received from the industry, there was a widely held view that those people who frequent these premises — and in my particular case there are a lot of university students and college students involved. They were of the opinion that instead of the students coming in at 10 o'clock and spending three hours there until 1 o'clock in the morning, what will

probably happen is that they'll come in at 11 o'clock from now on and stay there until 2 in the morning, and that in the long run it really wasn't going to affect their business during most of the year all that much because the students would still drink the same amount of beer or fruit juice or whatever was their fancy at that time. And so a lot of the owners in my community felt they weren't going to be any better off than they are right now.

It's a question of local autonomy. Let's respect the wishes of the local councils. They are in the best position to hold meaningful public hearings.

Interjection: The local neighbourhoods, too.

Mr Gerretsen: Within the local neighbourhoods; that's correct. They are in the best position to hold meaningful public meetings so that they can get the input —

Interjections.

The Acting Speaker: There's too much noise. Please.

Mr Gerretsen: It's hard to believe, Mr Speaker, that on an issue like this which affects each and every one of your residential neighbourhoods, the members wouldn't listen more to what's being debated in this House. I certainly appreciate your intervention in that regard.

Mr Garry J. Guzzo (Ottawa-Rideau): We listened to everybody else.

Mr Gerretsen: We sure listened to everybody else.

Let me just sum up by simply saying, give the local municipalities that have been longing for local autonomy in so many different areas over the last 20 or 30 years the right and the power to determine whether or not, in local residential neighbourhoods, bars should be open beyond 1 o'clock in the morning. That's the issue and that's what I urge the support on with this particular private member's bill.

The Acting Speaker: The member for Parkdale, you have two minutes.

Mr Ruprecht: I want to address myself quickly to the member for Durham Centre, who said there was indeed some consultation. If that's true, then how does he respond to the letter from the chair of the Ontario Neighbourhoods for Responsible Alcohol Sales and Service committee? She writes to us that she was never consulted. Where was this consultation? I'm really somewhat surprised.

The next item, the real puzzle, is the member for High Park-Swansea, who either hasn't been listening or doesn't understand the issue. He said, "When Mr Ruprecht was in cabinet, why didn't he introduce legislation on this point?" We didn't extend the hours then. If we had, we would have done something to address this imbalance. Then he said, "This doesn't go far enough." He wants to go further. He wants to have more teeth, he says. Give him the teeth, for God's sake.

What was promised here on February 1 by the Minister of Consumer and Commercial Relations? He said he would redress this imbalance; he said he would do something about it. He was quoted in the newspaper as saying, "The residents deserve some sleep, and we should give municipalities the right to redress this issue of one hour." That's all we're asking: Give the local option the one hour.

Finally, have a look at this: In January 1996, the municipal option was included in the Liquor Licence

Board of Ontario's hours of service survey. It was there, and the minister said, "Okay, you will have this option." Where is he today? I don't see him here. I don't see him answering that point. He made us a promise. In fact, he made all of us a promise, and not just the people who are represented today; he made all Ontarians a promise that he would redress this issue and he would do some common sense. Where, I ask you today, is the common sense? Where is it? Where is the balance of the books? There is no balance.

Today I ask of you: Do it right.

LABOUR UNION AND
EMPLOYEES ASSOCIATION
FINANCIAL ACCOUNTABILITY ACT, 1996
LOI DE 1996 SUR LA RESPONSABILITÉ
FINANCIÈRE DES SYNDICATS
ET DES ASSOCIATIONS D'EMPLOYÉS

The Acting Speaker (Mr Gilles E. Morin): We will deal first with ballot item number 31, standing in the name of Mr Gilchrist. If any members are opposed to a vote on this ballot item, will they please rise.

Mr Gilchrist has moved second reading of Bill 53. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Thank you. Take your seats.

MUNICIPAL AMENDMENT ACT, 1996
LOI DE 1996 MODIFIANT LA LOI
SUR LES MUNICIPALITÉS

The Acting Speaker (Mr Gilles E. Morin): We will now deal with ballot item number 32, standing in the name of Mr Ruprecht. If any members are opposed to a vote on this ballot item, will they please rise.

Mr Ruprecht has moved second reading of Bill 51. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1203 to 1208.

LABOUR UNION AND
EMPLOYEES ASSOCIATION
FINANCIAL ACCOUNTABILITY ACT, 1996
LOI DE 1996 SUR LA RESPONSABILITÉ
FINANCIÈRE DES SYNDICATS
ET DES ASSOCIATIONS D'EMPLOYÉS

The Acting Speaker (Mr Gilles E. Morin): Mr Gilchrist has moved second reading of Bill 53. All those in favour of the motion will please rise and remain standing until their names are called.

Ayes

Arnott, Ted

Guzzo, Garry J.

Preston, Peter

Baird, John R.

Johnson, Bert

Rollins, E.J. Douglas

Barrett, Toby	Jordan, Leo	Ross, Lillian
Beaubien, Marcel	Kells, Morley	Shea, Derwyn
Brown, Jim	Klees, Frank	Sheehan, Frank
Carroll, Jack	Leadston, Gary L.	Skarica, Toni
Chudleigh, Ted	Marland, Margaret	Smith, Bruce
Clement, Tony	Martiniuk, Gerry	Stewart, R. Gary
Doyle, Ed	Maves, Bart	Tascona, Joseph N.
Flaherty, Jim	Murdoch, Bill	Tilson, David
Ford, Douglas B.	Newman, Dan	Wettlaufer, Wayne
Fox, Gary	O'Toole, John	Wood, Bob
Galt, Doug	Ouellette, Jerry J.	Young, Terence H.
Gilchrist, Steve	Parker, John L.	
Grimmett, Bill	Pettit, Trevor	

The Acting Speaker: All those opposed to this motion will please rise and remain standing until your names are called.

Nays

Bradley, James J.	Gerretsen, John	McGuinty, Dalton
Brown, Michael A.	Gravelle, Michael	Miclash, Frank
Castrilli, Annamarie	Johnson, Ron	Phillips, Gerry
Christopherson, David	Kormos, Peter	Ruprecht, Tony
Churley, Marilyn	Lankin, Frances	Sergio, Mario
Colle, Mike	Marchese, Rosario	Silipo, Tony
Duncan, Dwight	Martin, Tony	

Senior Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries): The ayes are 43, the nays are 20.

The Acting Speaker: I declare the motion carried.

Pursuant to standing order 96(k), the bill is referred to committee of the whole House.

MUNICIPAL AMENDMENT ACT, 1996

LOI DE 1996 MODIFIANT LA LOI SUR LES MUNICIPALITÉS

The Acting Speaker (Mr Gilles E. Morin): Mr Ruprecht has moved second reading of Bill 51. All those in favour of the motion will please rise and remain standing until their names are called.

Ayes

Bradley, James J.	Gerretsen, John	Martiniuk, Gerry
Brown, Jim	Gravelle, Michael	McGuinty, Dalton
Brown, Michael A.	Grimmett, Bill	Miclash, Frank
Castrilli, Annamarie	Klees, Frank	Murdoch, Bill
Christopherson, David	Kormos, Peter	Phillips, Gerry
Churley, Marilyn	Lankin, Frances	Ruprecht, Tony
Colle, Mike	Leadston, Gary L.	Sergio, Mario
Doyle, Ed	Marchese, Rosario	Silipo, Tony
Duncan, Dwight	Martin, Tony	

The Acting Speaker: All those opposed to the motion will please rise and remain standing until your names are called.

Nays

Arnott, Ted	Johnson, Bert	Rollins, E.J. Douglas
Baird, John R.	Johnson, Ron	Ross, Lillian
Barrett, Toby	Jordan, Leo	Shea, Derwyn
Beaubien, Marcel	Kells, Morley	Sheehan, Frank

Carroll, Jack	Marland, Margaret	Skarica, Toni
Chudleigh, Ted	Maves, Bart	Smith, Bruce
Clement, Tony	Munro, Julia	Stewart, R. Gary
Flaherty, Jim	Newman, Dan	Tascona, Joseph N.
Ford, Douglas B.	O'Toole, John	Tilson, David
Fox, Gary	Ouellette, Jerry J.	Wettlaufer, Wayne
Galt, Doug	Parker, John L.	Wood, Bob
Gilchrist, Steve	Pettit, Trevor	Young, Terence H.
Guzzo, Garry J.	Preston, Peter	

Senior Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries): The ayes are 26, the nays are 38.

The Acting Speaker: I declare the motion lost.

Mr Steve Gilchrist (Scarborough East): Mr Speaker, on a point of order: I wonder if I might ask the unanimous consent of the House to refer Bill 53 to the standing committee on general government.

The Acting Speaker: Agreed? Agreed.

All matters relating to private members' business having been completed, I will now leave the chair and the House will resume at 1:30 of the clock.

The House recessed from 1217 to 1330.

MEMBERS' STATEMENTS

KAKABEKA FALLS

Mr Michael Gravelle (Port Arthur): That roar you're hearing from Kakabeka Falls, known everywhere as the Niagara of the North, is the rally cry of consumers angry at this government's new user fee policies. Under a proposal put forward by the newly created Ontario Parks, a parking fee will now be applied to Kakabeka Falls in my riding starting this Saturday, June 1.

This is another attack on the north by the same government that earlier this year tried to slap a boaters' fee on American tourists on Lake Superior, a fee that would not have been applied anywhere else in the province. This new user fee on the falls will do nothing but discourage people from visiting this natural wonder, in many cases because they now simply won't be able to afford it.

All members of this House should know that 90,000 vehicles, carrying hundreds of thousands of tourists, visited the falls last year. Now, instead of encouraging the positive aspects of this remarkable northwestern Ontario tourist attraction, this government plans to nickel and dime tourists away.

As per this government's usual company policy, nobody bothered to ask the people of Kakabeka Falls what they thought of this plan. They didn't ask restaurateurs, retailers or gas station operators what effect this user fee will have on the 200 employees of this community who rely on that traffic every year. They didn't ask the people of Thunder Bay, who frequently enjoy the splendour of the falls on a weekend outing.

This is a bad decision that will hurt the economy and cause job losses. It is a decision that should be reversed.

ITALIAN NATIONAL DAY

Mr Tony Silipo (Dovercourt): It is with pride that I stand today to mark the anniversary on June 2, this

coming Sunday, of the 50th anniversary of the Italian republic. In the 50 years since Italy has moved from a constitutional monarchy to a republic following the Second World War, the country has also grown into one of the most advanced in the world in a number of ways.

Particularly what I want to pay tribute to today is the spirit of the people of Italian background who have overcome first of all in the fight against fascism and then in the fight against poverty which saw the exodus, from southern Italy particularly, of thousands and thousands of people of Italian background to many parts of the world and certainly to Canada and Ontario.

We know the great contribution Italian Canadians have made to life in this province and in this country. Certainly they have helped to build and are now participating fully in the political, social and economic life of this country.

On Sunday, it will be with great pride that I will be celebrating that spirit of pride in our roots and fierceness in our Canadian belonging in events organized in my own riding of Dovercourt by the Corso Italia Business Association on St Clair Avenue and in Earlscourt Park. It is very much that spirit of overcoming all odds, that spirit of family and commitment to family and community that very much marks Canadians of Italian origin throughout Canada, that we will also be celebrating together.

OWEN SOUND COLLEGIATE AND VOCATIONAL INSTITUTE

Mr Bill Murdoch (Grey-Owen Sound): I rise today to offer congratulations to the OSCVI, which is celebrating 140 years of educating the young people of Grey county. In 1856, the Owen Sound high school opened its doors and has been busy ever since preparing teenagers for the challenges of the outside world.

To mark the occasion, OSCVI held a special reunion weekend which drew past graduates from as far away as New Zealand, California, Arizona, Vancouver and Taiwan. Close to 10,000 people were in Owen Sound to show their school spirit, meet with old friends and find out which path their lives took after graduation. Festivities included an open house, a picnic, decade parties, an assembly and a parade downtown. To show that some things never change, a dance was held for young and old graduates.

Part of the high school reunion was another reunion. The Tombstones, which I had the pleasure of managing, got together to pump out a set of classic blues. The seven-man band first banged out rock and roll on the OSCVI stage during a school assembly in 1965 and quickly gained a local following playing many high school dances. The band's last performance was OSCVI's 125th anniversary 15 years ago, but they were ready to go again when asked to perform. The band used to drive an old hearse to each performance. The band found it in the town of Ingersoll, which was courteous enough to lend it to us for the weekend. Seeing eight aging rockers with a hearse on a flatbed truck was a big hit at the parade.

OSCVI could not have asked for a better 140th birthday weekend. As a former —

The Speaker (Hon Allan K. McLean): The member's time has expired.

ADULT EDUCATION

Mr Mario Sergio (Yorkview): I recently met with a group of students from Emery Collegiate in my district of Yorkview and discussed several cuts to adult education programs in the province.

Students all across the province are deeply concerned with the government's plan to dismantle existing adult education programs in Ontario. The students' main concern centres on the fact that these supposed cost-saving measures will end up costing taxpayers more money in the long run. By cutting the existing programs, adult students will remain in the system that much longer, and the longer the students remain in the system, the more costly it will be to educate them, especially single mothers on social assistance.

The students are not asking for much. The program offers them the chance to complete their high school education and in many instances upgrade essential skills such as literacy and computer skills, real skills which could lead to a real job.

The Premier once stated that he wanted to give social assistance recipients a hand up, not a handout. I can't think of a better example of a hand up than adult education programs, nor can I think of a better example of a broken promise than the plans to eliminate adult education programs in the province of Ontario.

NATIONAL GYMNASTICS CHAMPIONSHIPS

Mr Tony Martin (Sault Ste Marie): Sault Ste Marie is doing it again. This week we are playing host to another national-calibre competition. We are rolling out the red carpet for the national gymnastics championships in our community. Literally hundreds of volunteers have spent hours and hours over the last weeks and months preparing for this wonderful event.

I had the pleasure of participating in the official opening ceremonies with our new mayor, Steve Butland, this past Monday at city hall as we welcomed these people who will be giving their best throughout this week at the Memorial Gardens in my community, in our city.

But you know, this is old hat for us now in the Sault. We've done it before. Our reputation precedes us. We are talked of by those who put these events on as knowing what we're doing, as being one of the best. This is the third competition of a national calibre that we've hosted over the last 10 years. We hosted the Briar, which is the national curling championships, and we hosted the Memorial Cup, the national championship for junior hockey.

In Sault Ste Marie we pride ourselves in being naturally gifted. It was only natural, then, that we would have presiding over these games one of our own who has made a name for herself: Roberta Bondar. She was there on Monday. We were all there Monday welcoming these folks, and we're going to show them a good time.

CANADA FLAG DAY FESTIVAL

Mr Ed Doyle (Wentworth East): It is with great pleasure that I rise to speak about the commemoration of

an historic event that took place in my riding of Wentworth East some 183 years ago.

This weekend, the residents of Stoney Creek will be hosting the 28th year of their annual Canada Flag Day Festival. This festival, which was the first ever to be held by a municipality in Canada, celebrates our flag and our country.

Every year since its creation, the flag day festival has taken place on the weekend close to June 6. The people of my community selected this date in order to remember the June 6, 1813, battle of Stoney Creek in which our soldiers, both British and native, fell protecting our territory from invasion by the American forces during the War of 1812. It was this pivotal battle that led to the victory in the War of 1812 and in turn was a contributing factor in the eventual establishment of this great country, Canada.

The days will be filled with parades, re-enactments of the historic battle and good food and fellowship as well. This weekend I invite you all to Stoney Creek to participate in this slice of our history.

1340

ERIN WOODLEY

Mr Frank Miclash (Kenora): Central Public School in the town of Sioux Lookout will be watching this year's Atlanta Olympics with great interest. Through the adopt-an-athlete challenge sponsored by the Canadian Olympic Association and funded by Stentor Alliance, Central Public School has adopted its own Canadian Olympic athlete. The challenge was designed by the Canadian Olympic committee to encourage Canadian students to follow, support and learn about a Canadian Olympic athlete.

I am told that Central Public School's athlete is Erin Woodley, a synchronized swimmer from Calgary. Ms Woodley is already a Commonwealth Games gold medalist in the duet category. Sioux Lookout students are very excited about the program and were delighted to welcome Ms Woodley to their school last Monday. Ms Woodley spoke to two morning assemblies at the school and spent the afternoon with the grades 4 and 6 classes.

Only 160 schools from across the country were accepted into the adopt-an-athlete program, and I am delighted that Sioux Lookout's Central Public School was one of those accepted. I know students in Sioux Lookout will be watching the progress of their adopted Olympic athlete in Atlanta with great excitement, and we wish her all the very best wishes as she competes on behalf of Canada.

STREET YOUTH

Mr Peter Kormos (Welland-Thorold): All of Ontario was or certainly ought to have been shocked by the brutal assassination last week of three young people on the streets of Toronto. Any untimely death, and especially those that are caused by the viciousness and malevolence of the perpetrator of these murders, has to be condemned in the strongest terms.

One is drawn, though, to a closer and more intense observation of the growing numbers of young people who

are becoming marginalized. We witness the phenomenon of young people as squatters, the phenomenon of young people as so-called street people. One hopes the tragedy of the murder of these three youngsters last week isn't diminished by the fact that they were drawn into or compelled for whatever reason to participate in prostitution, or the sex trade, as it's called, or that they had sexualities or gender biases that were different from some people.

It does require us, however, to focus on a phenomenon that's occurring in increasing numbers, and I believe this Legislature is obligated to address the issue of the marginalization of young people, to address the issue of the dangers that young people are facing on our streets, whether they're engaging in the so-called sex trade or not, and to respond appropriately to ensure that this society indeed meets their needs as well.

AMYOTROPHIC LATERAL SCLEROSIS

Mr David Tilson (Dufferin-Peel): I rise today to speak about amyotrophic lateral sclerosis, also known as ALS or Lou Gehrig's disease. Imagine not being able to walk, write, smile, talk, eat and sometimes even breathe on your own, and yet your mind and senses remain unaffected. This is what having ALS is like for over 3,000 Canadians who suffer from this disease.

It can strike anyone and results in complete paralysis and death, generally within two to three years of diagnosis. Two to three Canadians die every day from ALS. Several years ago my father succumbed to this disease. I therefore personally know the pain victims and their families go through as they deal with ALS.

Although promising research studies are being conducted, there is still no known cure.

Across Ontario, and in fact Canada, June is ALS Awareness Month. Throughout the month, volunteers will be canvassing in malls and public areas to raise funds to fight this devastating disease. All funds raised will be spent on ALS scientific research.

In my community, the Optimist Club of Orangeville and the Knights of Columbus, along with other community volunteers, will be selling cornflowers and hosting a barbecue at the Orangeville Mall. One person in my community, Lynn Frenette, has been working for many years locally to raise awareness of ALS. I would like to congratulate her on her efforts. I encourage all Ontarians to make generous donations to the ALS Society.

VISITORS

The Speaker (Hon Allan K. McLean): I'd like to inform the Legislative Assembly that we have in the Speaker's gallery today Ms Pam Jefcoat, Ms Tanya Garcia, Mr Greg Gowe, Mr Kevin Moorhead and Mr Tom Syer, legislative interns from the province of British Columbia. Welcome to our guests.

OPPOSITION DAY MOTIONS

The Speaker (Hon Allan K. McLean): Members will be aware that there appear on today's Orders and Notices paper two notices of an opposition day to be debated next week.

Under standing order 42(d), the Speaker is required to select one of these notices for consideration, taking into account the order in which they were received.

I would like to advise the members that the motion by Mrs McLeod will be the one that will be selected for debate next week.

STATEMENTS BY THE MINISTRY AND RESPONSES

MUNICIPAL GOVERNMENT

Hon Al Leach (Minister of Municipal Affairs and Housing): Over the past 12 months we have worked hard to lower the cost of government in Ontario. We have done this to open Ontario for opportunity and to lower the cost of government for the taxpayer. We've put a lot of energy into looking at what governments do and how they do it. Now it's time to look at who does what.

The fact is that there are too many areas of government policy where the responsibility for quality and cost consciousness is divided between officials at two or more levels of government.

Take, for example, Ontario's road system. Three levels have responsibility for roads. In the winter it's not unusual to see three plows going down the same road — a provincial plow, a county plow and a local plow — and only one is actually plowing. The other two have their blades up as they travel to the roads they are responsible for. The result is waste.

The time has come to sort out our respective roles and that's why I am formally announcing the Who Does What initiative. I have appointed a panel to advise us on the best way to do it and then help us do it.

The chair of this panel will be Mr David Crombie, former mayor of Toronto, federal cabinet minister and current chair of the waterfront regeneration trust. The other members will be William Bell, Gordon Chong, Morley Daiter, Grant Hopcroft, Gisèle Lalonde, Steve Lowden, Hazel McCallion, Tom McCormack, Peter Meyboom, Marian Millman and Enid Slack.

The goal will be nothing less than a fundamental change in the way the province and local government work together. The goal is smaller, more efficient, more effective and more affordable governments at all levels. The panel's job will be to eliminate duplication and over-regulation and to divide responsibilities in a way that makes sense.

This will be an action-oriented panel, and as it makes recommendations we'll look at them right away, make decisions promptly and implement as we go. With the next municipal elections only a year and a half away, we'll try to get as much as possible done before January 1, 1998, as the new councils begin their mandate.

We also plan to act quickly on Ontario's assessment system. We've been told over and over again that the current system isn't working properly. The panel's first priority will be to look at the GTA task force recommendations on tax assessment and recommend the best way to establish a common, province-wide system. This is important because Ontario has a confusing and inadequate patchwork system.

Taxpayers cannot understand why they pay property taxes the way they do. Assessments in many places are far out of date. The result is appeals that erode the tax base. This undermines the ability of school boards and municipalities to deliver much-needed services. Fixing it will be a step forward towards better, more efficient local government and better, more efficient local administration.

What I'm talking about today is a historic change. Everything is on the table. We're going to look at how welfare should be delivered and paid for, whether the property tax is the right way to fund education. We'll look at every area in which we share the responsibility with local governments. The stakes are extremely high.

1350

Together, the municipalities and the province spend about \$7.5 billion on general welfare assistance, family benefits assistance, children's aid societies and child care. Together, we spend about \$2.5 billion on policing, on fire services and more than \$2 billion on local roads and transit.

In the Common Sense Revolution we promised taxpayers that we would restructure the cumbersome bureaucracies that deliver these services. Resolving the issue of efficient local government will take a great deal of hard work, but it must happen. It's time to stop government growth once and for all.

ONTARIO SAVINGS BONDS

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I am pleased to announce that Ontario savings bonds will be available again this year in banks, Province of Ontario Savings Offices and other financial institutions across the province from June 1 to June 17.

Ontario savings bonds are an excellent investment. They provide a secure, flexible and competitive savings vehicle for every Ontario resident. Their rates are competitive with other term investments and are fully backed by the province.

We have introduced new features to this year's bonds that will make them more appealing to Ontario investors.

We are now offering a step-up bond where the rate climbs every year, giving your money a chance to grow with a higher interest rate through to the end of the fifth year when the bond matures. The step-up bond rate for year 1 is 4½%; for year 2, 5¾%; year 3, 6¼%; year 4, 7¼%; and finally, for year 5, the rate will be 9%. It is easy to see that the step-up bond is a great investment.

Ontarians can also purchase a variable-rate bond. This option offers a more competitive rate which is reset every six months. This is a perfect investment for someone who wishes to take advantage of fluctuations in interest rates. For the first six-month period, the rate will be 4¾%.

Both bonds are easily redeemable every six months, giving Ontarians an attractive choice for investment.

In keeping with this government's approach to streamlining, while continuing to provide the services that Ontarians have come to depend on, I am pleased to announce that we have streamlined the administrative process for issuing the bonds. This initiative lets us place

greater emphasis on delivering a bond issue that is an incentive for people to make an investment while, at the same time, is very cost-effective from an administrative point of view. The administrative cost of the bond program will reduce by over 40% this year, showing a saving of \$1.35 million over administrative costs last year.

In the budget earlier this month, I told Ontarians that this government would invest in the programs that are a priority for everyone. We would reduce costs and spend taxpayers' money more wisely. By doing this, we would help build a better future for ourselves and our children. Ontario savings bonds are one way to help Ontarians build their future. Buying Ontario savings bonds will help the province reduce its dependence on foreign lenders while at the same time ensuring that more of the government's interest payments go to Ontarians.

In our budget we also announced tax cuts that will allow people to spend and save more in their province. The bonds are another option for people to invest in the future of Ontario.

I am confident that Ontarians will take an active interest in Ontario savings bonds this year. Bonds are a sound investment for Ontarians in their province's future. If we all invest in the place we call home, we'll all prosper in the long run.

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased to briefly respond to the savings bonds. I think the people of Ontario can see what this is all about. The government is going to run deficits over the next four years totalling about \$22 billion. They have to borrow that money.

A substantial part of that deficit is the result of the tax cut. Here's how it works. We increase the debt by \$22 billion; \$13 billion of that is for the tax cut. We give people a tax cut. They invest in the bonds. The government pays 9% interest: 9% interest to fund the tax cuts. What we find is, it's a game. Rather than dealing with the real financial issue, the government has chosen to go and borrow, at 9%, money to pay for the tax cut. The people of Ontario can see where their tax dollars are going. It's to pay the interest on these bonds to fund the tax cut rather than deal with the real financial issues of this province.

MUNICIPAL GOVERNMENT

Mr Mike Colle (Oakwood): Under the Ministry of Municipal Affairs, obviously the minister is creating a new growth industry. The new growth industry is commissions. We had the Trimmer commission, we had Golden, we had Burnham; now we've got Crombie. The minister is paid to make decisions. Obviously, he wants to defer and dither. He wants to take the heat off himself and he's set up another commission to basically do what he's paid for.

Obviously, what he's saying too is that Golden is dead, that her recommendations about governance and change are dead, her recommendations about GTA pooling are dead. All the good things in Golden are now going to go on that shelf along with the Fair Tax Commission report, along with the Robarts commission report — more money wasted instead of the minister making some decisions.

I know there's been quite an internal struggle within the caucus on what to do. You've obviously decided to defer making the decision and are setting up another expensive commission to do your work. The problem is that these commissions cannot do what has to be done, because you have to make the decision, Mr Minister, and all you're doing is deferring and dithering, and meanwhile we're getting a bigger and bigger hole here in Metro as assessment gets eroded because all you do is talk and set up commissions.

Mr John Gerretsen (Kingston and The Islands): As the minister quite well knows, his ministry is involved right now in 35 restructuring proposals affecting almost 200 municipalities clear across the province. I would like the minister to tell us how he expects those municipalities to deal with these matters when as a result of this new task force that you've set up, which is about the 10th one in the last 20 years, they will not know whether or not they're going to be involved in education tax collection, whether or not they are going to be involved in social services or any of the other services, many of which are shared with the province right now.

How can you put it to the municipalities, as you're doing for example in the Kingston-Napanee area, "You've got to come up with a proposal by June 15 of this year" — you gave them about six weeks to do it — when in effect you're not telling them what kind of services they're going to have to deliver in the future?

I think, Mr Minister, you are creating a crisis as far as municipalities are concerned. You're creating the same kind of crisis that you've caused among the public housing tenants of this province, who do not know whether they're going to have the same landlord next year, who do not know whether or not they're going to be subject to major rent increases. You're doing exactly the same thing with the municipalities.

As you stated in Napanee a couple of weeks ago, we all noted in these restructuring proposals there are winners and losers, and there isn't a municipal councillor anywhere in this province who wants to be involved with what you termed a loser municipality, where in effect those municipal taxpayers are going to be paying more after the restructuring proposal than they are right now.

Minister, you are creating a crisis. You are setting up another commission that basically will come to the same conclusion as all the other commissions before, going right back to the days of Darcy McKeough, who I believe resigned over this matter because he couldn't get agreement within the Tory caucus then as to how these matters should be dealt with.

Mr Minister, why don't you do the thing that you said you were going to do? You were going to restructure all these matters prior to the next municipal election. All you've done by this is delay the matter by another three years. You are creating a crisis. Stop doing that to the municipalities and to the tenants of this province.

Mr Gilles Bisson (Cochrane South): I wish the minister well in his attempts to deal with what generally is known as disentanglement. As the minister well understands, this is a very complex process they're entering into. You're talking about how to pay for services such as transit services, social services, chil-

dren's aid services and day care, which are jointly funded programs between the province and the municipalities. As a member under the New Democratic government of Bob Rae, having gone through that process, I can tell you it is laid with a lot of problems, but we wish you well and we wish to work with you to make sure that this process indeed is a consultative process, which means to say that there's real dialogue at the municipal level and at the AMO level.

1400

I wonder why you would set up a process that seems to be provincially driven. I don't see anywhere in your statement your involvement of municipalities through the Association of Municipalities of Ontario. I would think that as the major stakeholders, the people who are going to have to deal with it, AMO and the municipalities would be involved through their association to make sure these are true negotiations and, at the same time, that you put some guarantees going into this that it doesn't mean a total reduction or elimination of services and, more importantly, that it doesn't mean that people will end up paying more user fees and people will end up paying higher taxes as a result of your initiative.

I'm prepared to work with you as New Democratic critic, along with the rest of my party, to make sure that we go through this process and we do it well. But I wonder when a government does it in the way that you have done, by appointing what I would consider a blue-ribbon panel which is not ideologically very much away from where you people are coming from, how you would be able to deal with all of that stuff.

I say, why are you doing this? You're doing it because you have to find a way to pay for your tax cut, and I just say to you, Minister, be very careful as you go through this. We need some guarantees that it doesn't result in more user fees or higher taxes and that services are preserved in the end.

Mr Bud Wildman (Algoma): As the minister who made the announcement will know, this could have significant ramifications for the education sector in this province as well. I would hope that in setting this commission up there is proper representation for those in the education field to ensure that whatever decisions or recommendations are made, we will not see a situation where we see a downloading from the province to the school boards in Ontario and that we, at the same time, don't see an attempt to shift property tax revenues to the provincial government rather than ensuring they only are used for services at the local level. Also, I commend the minister if what he's looking at is ensuring that property taxes are eventually only used to fund things like hard services that benefit ratepayers, rather than soft services such as education and social services.

This is a very complex matter. I know that other governments have attempted this. The minister feels confident that he's going to be able to have this in place by the next municipal election time. If he's able to do that, we wish him well. But it is going to be very difficult if we're genuine in ensuring that this is at least cost-neutral to the local ratepayers.

ONTARIO SAVINGS BONDS

Ms Frances Lankin (Beaches-Woodbine): I wanted to respond to the Minister of Finance's statement with respect to the announcement today on the Ontario savings bonds. I listened very carefully. I was waiting with bated breath almost for that moment of magnanimous gesture on the part of the government where they gave credit to the previous government. I didn't hear it. Surprise, surprise.

Day after day we hear the government stand up and point fingers across the floor and blame the ills of the world, in every part of the free world — anything bad that's going was as a result of this government. Yet when they continue with well-founded, rational, sane, important programs that were initiated by the previous government, we hear no mention or credit given.

Let me just say I will be equally magnanimous to the minister opposite. Let me say congratulations to you on an incredible announcement today, on a wonderful announcement today. It is very good idea. I'm just glad we thought of it.

ORAL QUESTIONS

IPPERWASH PROVINCIAL PARK

Mrs Lyn McLeod (Leader of the Opposition): My question is for the Solicitor General, and it concerns the issues surrounding the meeting of September 5 of senior government officials to discuss the situation at Ipperwash.

Yesterday the Premier told this House that the government was not informed of the OPP buildup at Ipperwash. In fact, I quote directly from Hansard the Premier saying, "We knew nothing of any buildup."

I ask you today: Why did the OPP choose not to inform the government at that meeting of the police buildup at Ipperwash?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): I've indicated, and the Premier's indicated, that in past instances, in dealing with different issues, this government, this ministry, the Premier's office and, I assume, former governments did in no way, shape or form involve themselves in day-to-day police operations in this province. That has continued to be the case throughout the tenure of our government and I trust it will continue to be the case as the years roll on with governments of a variety of political stripes.

I was told on a daily basis that the OPP continued to monitor the Ipperwash situation, but I did not involve myself in asking about manpower levels or tactics or those kinds of issues because they fall strictly within the purview of the police themselves.

Mrs McLeod: Let me understand this. According to an OPP regional superintendent, there was a decision made to confront and that was made shortly after the occupation of the park. We know the OPP was then bringing in sharpshooters and other tactical forces to Ipperwash on September 5. That is exactly the same day as a meeting of government officials, representatives of the various ministries that would be concerned about the situation at Ipperwash, to provide a briefing to government on the

Ipperwash situation, and yet it appears that the OPP chose not to mention the buildup of force at that meeting; a meeting held to brief the government, and following that meeting apparently, according to the Premier, the government knew nothing of the buildup. Again, why did the OPP choose not to inform the government of the buildup at Ipperwash?

Hon Mr Runciman: If I as the Solicitor General — or any Solicitor General or the Premier of the province — at any time involved myself in the details of operational matters of the police or investigations being conducted by the police, the honourable member would be the first on her feet to object, and rightly so. There is that clear separation between the police and government officials. That's an appropriate distance and it should be maintained.

The Premier has simply indicated that at no time did we in any way, shape or form — certainly that's my understanding and any report that's been made to me with respect to meetings that were conducted when I was not present — never at any time were details with respect to manpower or tactics of the police ever discussed, and in my view that is quite appropriate.

Mrs McLeod: I really find the minister's answer defies all credibility. We have the Premier saying that they were concerned about the situation at Ipperwash and turned it over to the OPP to handle. That doesn't absolve the government of any responsibility for being aware of how the OPP are going to deal with a very tense situation. We have a situation which is building. We have a decision to confront. We have a climate of confrontation building. This is not, as the minister seems to suggest, an incident in the day-to-day activity of the Ontario Provincial Police. This is surely not an incident the government wants to be unaware of.

It's difficult for me to believe that when there is a meeting of senior government officials held the very day that buildup is taking place, a meeting held to brief government officials as to what was happening in Ipperwash, the OPP would choose not to inform the government of the nature of the buildup of OPP force at Ipperwash. That really does defy credibility. Again, how could it possibly happen that in the course of the briefing that was being given to government officials about the situation at Ipperwash, the OPP chose not to inform the government that there was a buildup of arms and personnel at Ipperwash?

Hon Mr Runciman: The honourable leader talks about, as a clear fact, there being a decision taken to confront. To my understanding, that has never been indicated. Superintendent Coles, to whom that quote was attributed in one of the media outlets, denied the following day that he had said that. To assume that is indeed the case I think is improper and inaccurate.

When we talk about the incidents surrounding the regrettable shooting that occurred, those matters will come out in the fullness of time with respect to the SIU investigation and any charges that may or may not result as that investigation concludes.

All I can indicate to the honourable member, whether she wants to accept it or not, is that the government felt throughout this exercise — and certainly my ministry and

the representative who advises on native affairs, at the time Inspector Fox, now Superintendent Fox, always reinforced the message throughout this difficult time that the OPP were, in terms of operational matters, operating outside of any political direction or influence. I have always reinforced that message in my role as Solicitor General, and I do not believe that in any way, shape or form was that advice ignored or breached.

1410

The Speaker (Hon Allan K. McLean): New question, the member for Scarborough-Agincourt.

Mr Gerry Phillips (Scarborough-Agincourt): I want to continue with the same minister. The Premier yesterday, talking about the meeting on September 5, which was the key meeting, said, "The purpose of the meeting...was to give a briefing to those ministers who would have been involved, including the Premier's office, of the situation as we understood that it existed at Ipperwash Provincial Park." In other words, the ministers' staff were being briefed on behalf of the ministers about the situation at Ipperwash park.

At the very time the meeting was taking place, the OPP were gathering from around southwestern Ontario significant numbers of officers and armaments to staff and to arm themselves at the camp. Is the Solicitor General saying that at that meeting, designed to bring the government up to date on the status of Ipperwash park, the OPP at no time during that meeting informed the ministers' representatives that there was this buildup taking place at Ipperwash park?

Hon Mr Runciman: That is correct; that did not occur.

Mr Phillips: To confirm then, you are saying the OPP, for whatever reason, decided to not inform the ministers' representatives — in other words, the ministers — of the status of what was taking place. At that moment at Ipperwash park the OPP — and this was the purpose of the meeting — were assembling significant increases in staffing and armaments. Is the minister saying that the OPP, for whatever reason, deliberately chose to not inform the ministers of what was taking place at that time at Ipperwash?

Hon Mr Runciman: The objective of the meeting, as the Premier explained yesterday, was to inform all of the various players who were impacted by this occupation as to what was occurring, what had transpired up to that point in time and what options might be available with respect to encouraging discussions to take place that could resolve the situation in a peaceful manner. I was reassured yesterday by a staff member from my office that it was clearly stated at the outset of the meeting that the tradition and the practice with respect to policing matters is that the political arm simply does not get involved with the details or providing direction with respect to how these kinds of operations should transpire. We are not the experts in this area; we leave that to the experts.

Mr Phillips: I don't think there can be anything quite as important as this particular issue. It is clear the meeting was held to bring the government up to date on what was happening at Ipperwash. Absolutely nothing could be more important than for the OPP — and it was

the OPP in charge — to bring the government up to date, I gather, on what was happening at Ipperwash. At that very moment, there was a substantial buildup occurring around southwestern Ontario in staffing, in armaments, in deployment at Ipperwash.

The question then, Minister, is this. You now have told us that the OPP did not inform the government at that meeting of what was transpiring. You surely by this time have asked the OPP for an explanation on why you were not informed of what was taking place at that time. What has been OPP's response when you asked them why they did not inform the government of what was happening at Ipperwash?

Hon Mr Runciman: The intent of the meeting was — this was the day following the occupation, and the Minister of Natural Resources and others involved were informing the various ministries and officials from those ministries what had transpired and what the days ahead might hold and what options might be available to achieve a peaceful resolution to this matter.

Certainly the OPP throughout this matter did apprise us of concerns with respect to incidents that may have been occurring or were rumoured to have been occurring in the area within the park environs. I recall on one occasion being advised of the fact that there had been reports of heavy weapon fire within the Ipperwash area one evening. Those kinds of reports certainly were provided to the government on a regular basis. But in terms of getting into the details of how the OPP, the police, were responding to this situation, we did not do that because we felt it was certainly inappropriate, and I'm sure the OPP would have very quickly advised us that it was inappropriate to do so.

In respect to the aftermath of the shooting, again, there is, as you know, an investigation under way; there's a civil suit under way; there are criminal charges now before the courts. So, once again, it is clearly inappropriate for me or any member of this government to be pursuing this matter with the police.

The Speaker: New question, leader of the third party.

Mr Bud Wildman (Algoma): My question is to the Solicitor General. The minister is telling us that at the meeting the OPP did not discuss or did not report or inform the other people in the meeting about the buildup or their plans. Considering that this was such a significant change from the approach the OPP had taken in similar situations previously, is the minister implying that the decision for the buildup and, as a matter of fact, the decision to contact the military, who, according to Lieutenant Colonel Michael Sweeney of Canadian Forces headquarters, were contacted by the OPP on September 5 to ask for military assistance — are you saying that occurred after the meeting? Is the minister implying that the decision for the buildup by the OPP at Ipperwash and the contact to the military to request assistance occurred after the meeting?

Hon Mr Runciman: The member is trying to tie in the request for two armoured personnel carriers with what he is classifying as a different approach to these kinds of situations by the OPP. As I recall from reviewing the letter that I sent to the federal Solicitor General yesterday, that was sent the day following the shooting incident

at Ipperwash and it was in response to concerns that, as a result of the shooting incident, obviously there was a concern that tensions would be rising and the OPP felt it was appropriate to be prepared for a possible increase in the difficulty at Ipperwash. These were, I should point out, unarmed personnel carriers, and I felt and continue to feel that that was an appropriate request, that if indeed the situation did escalate, they were prepared to deal with it in an effective manner.

1420

Mr Wildman: Can the Solicitor General make clear to us when these decisions were made and when he was informed? The Lieutenant Colonel from the Canadian armed forces has said that "Headquarters, Canadian armed forces, was contacted by the OPP on September 5." It is true the minister signed the letter on September 7, but as a matter of fact Captain Doug Smith was dispatched by the military to Ipperwash to assist the police as a result of the contact on September 5.

I want to know from the Solicitor General, keeping in mind what the Premier said yesterday, that "This was a political situation. It was important that our office know what was happening," was the decision by the OPP to bring in 250 officers to have that kind of buildup and even to contemplate military involvement or advice taken after the meeting? If it was taken prior to the meeting, why wasn't the minister informed? If it was taken after the meeting, what prompted the decision?

Hon Mr Runciman: I can't confirm or deny the earlier dates that the member is talking about with respect to contact with the military. I only know that this request was brought to my attention on the day I signed the letter and the day the letter was dated, and this was following the shooting incident at Ipperwash and it was because of grave concern on the part of OPP in the field who felt, given the gravity of the occurrence, that conditions could worsen and that the situation could escalate.

I think it was also part of concern about what was happening on the national front as well, in British Columbia, and some of the rhetoric that was being heard at that time, which was considered to possibly inflame the situation. There were very legitimate concerns on the part of the OPP that they be prepared for any eventuality. When that request came before me, I felt it was an appropriate one and I signed it.

Mr Wildman: The minister appears to want this assembly to believe that he did not become aware of the OPP buildup and the request for personnel carriers, assistance from the military until September 7, the day after the incident, and yet the military officer has indicated that they were contacted on September 5, the day before the incident. The Solicitor General wants us to believe that if the decisions were being taken on September 5, the OPP did not inform him or his deputy minister.

When did the OPP inform the Deputy Solicitor General of this buildup and the contact with the military? Was it before the meeting, and if it was, why weren't you aware of it, and if it was after the meeting, what prompted the decision?

Hon Mr Runciman: I'm not aware of any prior notification of the deputy minister, but I will pursue that and provide the honourable member with an answer. With

respect to the numbers of officers on the ground, clearly there was a concern on the part of the OPP, as I've indicated to you, based on what was happening on a national level, and the intelligence being carried out by the OPP and the RCMP and other services, and the fact that there were concerns about individuals coming from the United States into the Ipperwash area. Clearly there were valid concerns that this situation could grow and could indeed be extremely serious. The OPP advised us of that fact and indicated to us that they were dealing with this in an appropriate way.

Again, I do not get into defining what is an appropriate way in terms of manpower or in terms of the kinds of equipment and those kinds of details. I am not qualified to make those kinds of decisions, and again, it is not an appropriate kind of involvement for a Solicitor General, for a Premier, for any member of a government.

We have to rely on the advice the police are providing us in terms of the adequacy of their approach, and given the advice I received, I was quite satisfied with the efforts and the job undertaken by the police on the ground.

The Speaker: New question, the member for Beaches-Woodbine.

Ms Frances Lankin (Beaches-Woodbine): I'd like to direct my question on this same subject matter to the minister responsible for native affairs. Minister, you can understand that we are trying to understand the sequence of events here, an extraordinary decision taken to confront the people who are occupying the park, an extraordinary decision to direct a buildup of over 250 members of the OPP tactical squad in that area, an extraordinary decision taken to contact the Canadian military and request their involvement.

These decisions appear to have been taken — the events, at least, that flowed from those decisions occurred on September 5. Let me just go through the chronology. On September 4, at 6 pm Ipperwash park closes for the season; at 7:30 pm a group of 35 to 40 members of the Stony Point group took over the park. On September 5, the blockade committee meets to discuss Ipperwash, 250 OPP tactical squad unit members are detached, the Canadian military is contacted. You can see we want to know the sequence of those events and the relationship of those events. And of course, on September 6 at 11 pm, approximately 30 to 40 OPP officers approached the barricaded gate.

We have heard from the Premier, we've heard from you yesterday, we've heard from your Solicitor General today, that the blockade committee, the purpose of that meeting, the purpose of that committee was only to receive information about what had happened in the past, only to be updated about what had happened in the past.

My question is with respect to a briefing note from the Ministry of Natural Resources referring to a meeting held on Wednesday, August 2, of that interministerial committee where they discussed a number of things, including the role of the committee. The minutes of the meeting refer to, point 5, the agreement. I'll read this and put my question to you.

"The committee felt that the field staff of both the OPP and the MNR were in the best position to deal with the

minor issues as they arose. In the event that a major incident — example, illegal occupation by large numbers — occurred, the committee should be advised to provide further direction." Direction, Minister, direction from that committee that you and others have said was only to receive information. How do you explain this inconsistency with your statements, your Premier's statements and your Solicitor General's statements?

Hon Charles Harnick (Attorney General, minister responsible for native affairs): There is no inconsistency. The meeting that took place was a meeting to inform the participants in the meeting that the occupation had occurred; the number of people that they believed were occupiers; that there was a trespass of property; that there was a discussion about the nature of the ownership of that property; what the relationship was between the various ministries; that the Ministry of Natural Resources indeed owned the park. That was what the nature of the meeting was, and the nature of the meeting was to begin a discussion of where alternatives may exist to begin trying to peacefully end this occupation.

There is one thing in the question, and it was explicit in the question, that there was a decision to confront. I think we tread on some thin ice when we make that allegation not backed up by any single fact, and quite simply that is an investigation that is now taking place by the SIU to see what happened there. To make an allegation when you don't have a single fact that there was a decision to confront I think is irresponsible, and I say to the member that she ought to wait until the SIU completes its investigation.

1430

Ms Lankin: You suggest that the OPP officer who was quoted as saying there was a decision to confront is irresponsible in having made that statement, but that attempts to deflect from my question.

The blockade committee met on September 5. They had previously met on Wednesday, August 2. They reviewed the current situation at Ipperwash and they discussed a number of things, including a review of the committee's role. They reached the following agreements: "(5) The committee felt that the field staff of both the OPP and MNR were in the best position to deal with the minor issues as they arose. In the event that a major incident — example, illegal occupation by large numbers — occurred, the committee should be advised to provide further direction."

I put it to you that at the meeting on September 5 one of two things happened. They were either informed of the OPP decision to build up and call in 250 members of the tactical unit and contact the Canadian military and approved it, or they gave directions for that to happen. One of the two — which is it, Minister?

Hon Mr Harnick: Nothing could be more ludicrous than the unfounded factual allegations. You can say anything you want but you have to have facts to back them up, and there are no such facts. There are no facts that any of that occurred at this meeting. This meeting dealt with the background and related issues to this matter: It dealt with who owned the property; it reviewed that an occupation had occurred; it talked about who the Stony Pointers were; it talked about whether we were

dealing here with any occupation that could be dealt with based on trespass act considerations; it talked about the idea of trying to obtain a civil injunction. Those were the things that were talked about, and as a result of this meeting and that idea being discussed, the preparations began to obtain a civil injunction, and that's what happened.

There was no discussion of police matters. That wasn't the purpose of the meeting. The purpose of the meeting was not to direct the police force in what to do. That's positively ludicrous, and the member knows that.

Ms Lankin: I put to the minister again that the minutes of that very committee say that if an illegal occupation occurred, the committee would be advised for them to provide further direction. It is ludicrous, to use your words, that you would ask this House and the public of Ontario to believe that in the course of a major and tense standoff with an illegal occupation of a provincial park a group of bureaucrats and political staffers would come together — because I remind you this committee included your executive assistant, David Moran, Deb Hutton from the Premier's office and Philip Gordon from Chris Hodgson's office — and have a history lesson as to who owned the park and what the rules are around these things and not ask the question about what was going to solve the standoff. You've talked about options. Surely one of the options was what steps the police were going to take.

Chief Bressette received a phone call after that meeting. Confidentially he was informed that in the course of discussions with government officials, either at that meeting or at a subsequent meeting involving ministers, someone gave the direction to, "Get those" expletive "Indians out of the park." Yesterday, my leader asked your Premier to investigate that.

I want to know what steps you've taken. I want to know who you've spoken to. I want to know if you've asked every member of this committee. I want to know if you've ascertained whether any other meetings subsequent to the blockade committee happened on the 5th or the 6th, prior to the shooting, and whether anyone reports that those words were spoken and who spoke those words.

Hon Mr Harnick: The member knows that this meeting took place and that the meeting took place the day after the occupation occurred. She also knows that after this meeting a civil injunction was applied for. To make the leap that, because a group of bureaucrats and some political staff were being informed about what had happened, all of a sudden this group of people was making decisions to instruct the Ontario Provincial Police in any way, shape or form is ludicrous. It's ludicrous to think that happened at this particular information meeting, because it did not happen.

As a result of this meeting, people went away and began the preparations to obtain a civil injunction, and that application for a civil injunction was made shortly thereafter. There was no discussion about OPP tactics, there was no discussion about OPP instructions, because that was not in any way the purpose of this meeting. To make the leap they are trying to make is absolutely ludicrous.

The Speaker: New question.

Mrs McLeod: With the answer of the Attorney General in mind, I will return to the Solicitor General, who is the elected member of the government responsible to the public for the operations of the Ontario Provincial Police. You have indicated today that you were getting regular reports. You've said you were not getting, as I understand it, details about the operations of the OPP. Very specifically, were you aware, informed by the OPP, as Solicitor General, of the buildup of forces at Ipperwash park? If you were made aware of that on September 5 or before, did you inform the Premier of that fact? Was the meeting on September 5 of senior government representatives informed of the buildup of forces, and if not, why not? Have the OPP told you why they withheld that information, a critical piece of information, from that meeting?

Hon Mr Runciman: At no time do I recall ever being advised of specific numbers of officers in the field. I was advised that Superintendent Coles was in charge and we were certainly apprised of what was going on in the environs with respect to incidents that were occurring. We were advised of concerns of residents in the Ipperwash area outside of the camp and the Canadian Forces site, cottagers and so on.

With respect to the September 5 meeting, I was not present but I have been advised that numbers were not discussed, only that throughout this difficult time we were always advised by OPP officials that they were dealing with the situation in an appropriate manner, that they had the necessary resources to deal with the situation as it evolved and that they were continuing to carefully monitor it on a 24-hour basis. We did not think it was appropriate to pursue operational decisions beyond that point.

1440

Mrs McLeod: Again, I find this almost unbelievable. I keep listening to see if I'm misunderstanding what the minister is saying. The Premier of the province has said that in their concern for the occupation at Ipperwash they turned it over to the OPP to resolve the issue. He is quoted as saying that they expected the OPP would resolve the issue peaceably; that would be the expectation. You again have said today, as I understand it, that it would have been your expectation that this would have been resolved peaceably and that nothing has altered or violated that expectation — if you don't wish to call it a direction — in your view.

Yet at that very time the OPP were assembling significant numbers of armed police force members. That clearly creates a climate for confrontation in an already tense situation. It is not a detail of a police operation. It is not a normal day-to-day event when the OPP is bringing in forces from across the southwest part of the province. If you were not informed, if the meeting of government representatives was not informed when they were called together to be briefed on this situation at Ipperwash that this buildup of force was occurring, that a climate for confrontation was being created, are you not surprised that this wasn't part of your briefing, that it wasn't part of the briefing at that September 5 meeting? Do you not believe that the OPP should have provided you with that

very critical piece of information which did mean that it could not be and was not resolved peaceably? Should that not have been part of both your briefing and a briefing to government representatives and then to the Premier?

Hon Mr Runciman: I'm not going to get into specifics with respect to what may or may not have occurred on the day of the shooting. That would be quite inappropriate. I had confidence then, and I have confidence now, in the OPP's approach to that situation with respect to the general question of maintaining the perimeter and ensuring as best they could that the situation did not get out of hand.

The member talks about the OPP being called in to resolve. I don't think that was indeed the case. The OPP were called in because there was an illegal occupation of a park owned and operated by the Ministry of Natural Resources. The concerns on the part of the OPP with respect to the potential for escalation I think were based on what was happening on the national scene and some of the inflammatory rhetoric that was being heard at the time and their own intelligence reports that the potential was there for significant escalation. I think they were acting in a very responsible manner to ensure that they had the necessary resources, whether it be manpower or equipment, to be able to deal in an effective manner with any eventuality.

The Speaker: New question.

Mr Wildman: A question to the Solicitor General on the same matter: Yesterday the Premier said, "I think it was important that our office know what was happening." He further said, "We have said no, we knew nothing of any buildup." Does the minister see the contradiction in those two statements?

The minister wants us to believe that the committee was not informed on September 5 of the OPP buildup, and yet this briefing note we have from the Ontario Native Affairs Secretariat states a suggested response for the minister: "The occupation of Ipperwash park is primarily a police matter. Therefore, I shall refer your question to the Solicitor General."

How would you have been able to respond to questions in the House if you weren't briefed? How would you be able to answer questions about a police buildup if you knew nothing about it? How is it that you can expect us to believe that a buildup of 5% of all the OPP staff in the province at Ipperwash would go on without you knowing about it?

Hon Mr Runciman: Again I find this passing strange in some respects. The opposition parties, if in any way, shape or form I stuck my political nose into the operations of police in this province, would be on their feet screaming bloody murder. They're attempting to take political advantage of this situation now by saying that the fact I didn't get involved in a political sense —

Ms Lankin: Well, we think you did.

Hon Mr Runciman: You're dead wrong. I did not. I did not and I should not and I will not.

With respect to an issue raised earlier, the leader of the third party —

Interjection.

The Speaker: The member for Cochrane South, come to order.

Hon Mr Runciman: I just received a note that the deputy minister was aware of the OPP request for the armoured personnel carriers the same day I was, September 7, the day I signed the letter.

Mr Wildman: On this briefing note it says, "The committee will be meeting again on September 6." We know that committee was going to meet. You've been telling us that there was a history lesson at the meeting on September 5, and they were going to seek direction, according to this briefing note.

What was your staff told at the meeting on September 6 and what response was there to the police report of what happened at the incident? Were you at that time, or were your staff, aware of who authorized the police buildup and the request to the military? Who made the decisions? When were you notified of that? When did your deputy know that this buildup was taking place that led eventually to the unfortunate incident and the death of Dudley George?

Hon Mr Runciman: That's a pretty convoluted question. I think we've gone over this ground on many occasions before.

Ms Lankin: You haven't answered one question yet.

Hon Mr Runciman: I think I have answered all the questions, and I have indicated to you quite clearly that we were advised on an ongoing basis of the situation at Ipperwash with respect to incidents that might be occurring on the line, concerns of residents, those kinds of matters, which I think were appropriate for us to know about.

In terms of how many OPP officers were on the south flank, how many were on the north flank, how many were in the village, how many were out there, I was told on a regular basis, as were other members of the government, that the OPP was handling this in an appropriate fashion, that they felt confident they had the resources and the manpower on the ground to do the job in an effective manner. I accepted that advice. I feel confident about it now. I felt confident about it then.

DRINKING AND DRIVING

Mr John R. Baird (Nepean): My question is for the Minister of Transportation. For too long, the people of Ontario have been terrorized by drunk drivers on roadways in the province of Ontario. I've been working with my colleague Margaret Marland, the member for Mississauga South, on strengthening measures against drunk drivers and fully support her efforts on this issue.

This is an extremely important issue to thousands of people in my constituency after a number of very tragic accidents over the last number of months, and the public in my riding is demanding tougher action.

My constituents are extremely supportive of the minister's announcement of the administrative licence suspension, which is a significant step forward on this very important issue. However, given that ALS suspends licences before cases go to trial, could the minister assure the House that the system balances the rights of the individual with the paramount concern overall for public safety in the province?

Hon Al Palladini (Minister of Transportation): I'd like to thank the member for Nepean for his question and commend him and the member for Mississauga South for their hard work in combatting drinking and driving. The main purpose of this initiative is to immediately increase safety by removing drunken drivers from Ontario roads. Simply put, no one has the right to drink and drive. Driving is a privilege, and drivers are expected to meet certain standards, including sobriety, or lose their licence.

Administrative licence suspensions will be issued based on the decision of the registrar of motor vehicles acting on the information provided by police. ALS is a measure to improve road safety and does not affect the person's rights in criminal law procedures because it has no connection to those criminal law procedures.

1450

Mr Tony Ruprecht (Parkdale): On a point of order, Mr Speaker: You will realize that this morning we had before us Bill 51, and the member for Nepean didn't even vote for the bill.

The Speaker (Hon Allan K. McLean): Order.

Mr Baird: In response to the member for Parkdale, I voted against that bill because I thought it would contribute to drunk driving; I had a very good reason for voting against it. If he hadn't approached it from a partisan sense and had genuinely listened to the debate, he would have understood that.

My supplementary to the minister: Given the growing concern about this very important issue, this criminal problem in Ontario society, and given the outstanding success of the administrative licence suspension in other jurisdictions in the province, is the minister not concerned with the possibility of a constitutional challenge to the administrative licence suspension?

Hon Mr Palladini: ALS plans are currently in effect in two other Canadian provinces and more than 40 states in the United States. Should there be a constitutional challenge in Ontario, these questions will be determined when the courts hear the issues argued fully before them.

We are confident that after a full hearing of various points of view, this important road safety measure will be upheld and ALS will do what it is intended to do, and that is to reduce impaired driving on Ontario roads.

OBSTETRICAL CARE

Mrs Elinor Caplan (Oriole): My question is for the Minister of Health. Nothing is more important to the women of this province than the safe delivery of their babies. Yesterday, I tried to convey to you the urgency of the pending obstetrical crisis in Ontario, but unfortunately you reverted to rhetoric. You went on to tell the women of Ontario that it is against the law for obstetricians to withdraw their services from current patients.

But obstetricians and other doctors who deliver babies will not stop seeing their patients. The problem is that they're not going to take on any new patients. Right across the province, pregnant women will be told by their obstetricians and their family doctors that they will not be able to deliver their babies.

Yesterday I asked what you plan to do to ensure that women across this province would receive the maternity

care they need when they are pregnant. You didn't give me an answer, and the women of Ontario need an answer today. This is a very serious issue. We see headlines, the Windsor Star saying, "MDs to Withdraw Obstetrical Service," the Packet and Times about Orillia's doctors, and the Sault Star saying they are losing obstetrical services.

Enough rhetoric, Minister. What are you going to do to ensure that pregnant women will have maternity care and will have safe deliveries for their babies in Ontario? What are you going to do?

Hon Jim Wilson (Minister of Health): With respect to obstetricians in the province, let me just point out a few facts. The average gross income of an obstetrician is \$325,000. The bickering that's going on now between the government and the obstetricians is over a mere \$5,000, or 1.5% of their gross income. For that, they are threatening across the province to abandon the women and the children of this province: for 1.5% of their gross income.

However, with that fact in mind, I told the honourable member that we were meeting yesterday and we had met two days ago with the Obstetrical Association of Ontario. I offered them, through my staff, some \$6,400 more, which on net, after the 10% clawback, would give them a \$600 raise, including their full CMPA pay. Late last night, they indicated that wasn't enough. I'm doing everything I can. I don't know anybody else in this province who can't handle a 1.5% deduction from a \$325,000 income.

Mrs Caplan: Minister, it is you who have abandoned the women and their babies in this province. You are to blame for this crisis. It is your action that caused this crisis. Last year you cancelled birthing centres. You have told pregnant women that they are not a priority for you. You have scrapped your agreement with the doctors.

Interjections.

The Speaker (Hon Allan K. McLean): Order. I'm having a problem hearing the question. Order, please.

Mrs Caplan: The worst thing you did, Minister, aside from Bill 26, which is directly responsible for the crisis that pregnant women are facing, is you arbitrarily removed the malpractice insurance payment, called CMPA, for Ontario's doctors. You did that against the advice of the College of Physicians and Surgeons.

Will you stand in your place today and tell the women of this province that you care about the safe delivery of their babies? Will you admit that you made a mistake when you arbitrarily removed CMPA malpractice insurance payments for doctors? And will you at least reinstate those CMPA insurance payments until after Mr Justice Dubin has concluded his report and stop this confrontational environment which is hurting pregnant women? It's frightening them. The most important thing to them is the safe delivery of their babies, and you can solve that problem —

The Speaker: The question has been asked. Minister.

Hon Mr Wilson: I've already told the honourable member that we have agreed to more than pay back or provide the insurance premium coverage. In fact the net average increase would be \$600 as a result of the offers. That, apparently, is not enough.

I would say to the honourable member that if her government in 1986, when it decided to pay the majority cost of premiums with the CMPA on behalf of doctors in the province, which was a tradeoff to get them off the front lawn when the Liberals put them on strike, if she had brought some accountability into CMPA, into a \$1-billion fund right now — that's not an insurance company; it's regulated under no law — the \$5,000 that the obstetricians are having to pay today — and that's without the offer, because we gave them a 30% increase on April 1 — the \$5,000 we're quibbling about today is exactly the 20% increase that CMPA is demanding for 1996 premiums, with no accountability.

This government will not pay \$48 million to a \$1-billion fund in Ottawa on behalf of physicians, with no accountability to the taxpayers, so I, by asking the treasurer to withdraw our contributions this year, because we believe that doctors are being hosed by the CMPA, finally got agreement, finally got doctors to take this government seriously and finally got CMPA to take us seriously. By withdrawing the money, we at least have a victory in terms of Charles Dubin now looking into it. He will hire two independent actuaries and will find out who is right in this dispute.

But there is no excuse for obstetricians or any other physicians in this province for holding men and women and babies at ransom. That will not be tolerated by this government. I put our money on the table to more than pay them back, and it still isn't good enough.

Applause.

The Speaker: New question. Order.

Ms Frances Lankin (Beaches-Woodbine): I appreciate the fact that the members opposite liked the answer of the minister, but I want to pursue this question with the minister, because I heard in your first answer your statement of fact with respect to how much obstetricians make and how much more you've offered them and what a lucrative deal you put on the table yesterday that they turned down. I heard your statement with respect to the CMPA and the mismanagement of that fund and the lack of accountability and the fact that you've now secured a process to look into that.

All of that is nice. The answer to that may come this fall. I don't know where you're going to get an answer from the physicians on the dispute as a result of yesterday's lack of reaching an agreement. But let me tell you, in Windsor and Essex there are no obstetricians taking on new cases of women having babies. In Sault Ste Marie, five out of six obstetricians have stopped taking on new cases, and the sixth obstetrician is close to retirement. In Sudbury they're doing the same thing; in Orillia; in Thunder Bay; in St Catharines. So while I understand your explanation about the fault, you say, of the doctors, or the fault, you say, of the CMPA, women aren't getting services. What are you going to do to ensure women are going to get doctors' services to have babies in this province?

1500

Hon Mr Wilson: These are notes taken the other night and the other day at the meeting — two meetings now — with the obstetrical association. The first thing they want me to do is to restore CMPA. I more than did that. I put all the money back plus a raise. They want

more of an increase for vaginal births; an increase for fees for unsociable hours; they want a new fee code put in for on-call services, an exemption from the thresholds.

At a time when everyone in this province is being asked to do something, I don't think we can give the highest-paid professionals in the province of Ontario and in Canada a raise. I just don't think that's in the cards. They are very much aware of that. We're living within the \$3.8-billion cap that your government put in place.

Again I say to both the NDP and the Liberals, you knew this CMPA problem was boiling. There was no accountability in the fund. The increase this year in CMPA premiums to the government and to doctors is 20%. Our position is that a \$1-billion fund sitting in Ottawa is more than enough to cover over the next few years any lawsuits that might come forward, because we haven't seen the dramatic increase in lawsuits which was the excuse for building up the fund during your term in office. The fund is built up and we don't need to pay more money, including a 20% increase, at this time. That is our firm position.

Having said that, though, we've more than restored it for obstetricians. We gave them a 30% raise in April. I don't know what else we can do.

Ms Lankin: The minister's got to figure out something else to do.

Mr Chris Stockwell (Etobicoke West): Give the rich more money.

Ms Lankin: The member for Windsor-Riverside has sent you a letter today pleading for you to intervene in Windsor and Essex-Kent right now, today. The member for Windsor-Riverside is down there and the phone in his constituency office has been ringing —

Mr Stockwell: What is their tax cut? That is so hypocritical.

The Speaker: The member for Etobicoke West, come to order.

Ms Lankin: They cannot get an obstetrician now. There isn't any obstetrician left in that area who will take on a new case. So you can shoot it out at the OK Corral with the obstetricians; you can shoot it out with the managers of the CMPA. Go for it. But what I want to know is, what are you going to do for the women of this province, the women who are going to have babies? Where are they going to get the services this September, this October, this November, this December? That is also your responsibility, Minister. What are you going to do?

The Speaker: The question has been asked.

Hon Mr Wilson: It's interesting that we've had two former health ministers ask me questions, neither of them offering any solutions except rhetoric. I can tell you that your rhetoric is not going to help the women and children of this province. We are going to help the women and children. We've put our money on the table in difficult times and we are very hopeful that the obstetricians will come around to realize that we're doing everything we possibly can, but we will not allow them to hold women and children to ransom in this province.

FIREARMS CONTROL

Mr David Tilson (Dufferin-Peel): A number of my constituents in Dufferin-Peel have asked me about the

status of our government's position on Allan Rock's costly and ineffective plan to compel law-abiding Canadians to register long guns through the phoney façade of gun control. Could you update the House, Solicitor General?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): I appreciate the question because I know there are concerns among law-abiding gun owners in this province related to this issue.

Two weeks ago, the justice ministers from Alberta, Manitoba, Saskatchewan, the Northwest Territories and the Yukon met to discuss the gun registration provisions of C-68. We were advised at the time that the government of Alberta has retained outside counsel to provide advice with respect to the possibility of a constitutional challenge of the registration provisions of the act. We also discussed at length the possibility of all governments jointly opting out of administration of that particular section of the federal act.

Alberta indicated that an appeal, a reference, would be brought through the Alberta Court of Appeal. It's the intention of the Ontario government, if indeed that occurs, that we will apply for intervenor status in the Alberta court.

Also, we are continuing with our colleagues in other jurisdictions a significant review of the implications of opting out of administration.

Within the next few weeks I will be appointing a users' committee, chaired by the member for Oshawa, Mr Ouellette, to review the regulations that come through this piece of legislation and advise the government on how to react.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon David Johnson (Chair of the Management Board of Cabinet): I move that notwithstanding standing order 96(h), the requirement for notice be waived with respect to ballot item number 36.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

PETITIONS

EDUCATION FINANCING

Mrs Elinor Caplan (Oriole): I have a very special petition which was sent to me by Richard Southern, who is here today with his father in the gallery. This is a petition to the Parliament of Ontario.

"This petition is concerning Mike Harris's \$14-million cut to education. This means: less schools, less classroom supplies, less 'one on one' (teacher-student), and most importantly, less teachers. This results in overcrowded classrooms. We disagree with the cuts to education, as signed below."

Richard has circulated this petition. Many of his friends and fellow students and neighbours in Tuscarora and other parts of Oriole riding have signed this petition, and I add my name to Richard's petition and hope the government will listen to him.

TAX REDUCTION

Mrs Lyn McLeod (Leader of the Opposition): I have the following petition:

"Whereas the minister has gone on record stating that the government is deeply committed to an educational system that delivers excellence, and the government has acknowledged that the public wants a highly educated, highly motivated and highly trained workforce that is the result of providing an absolutely first-class education to our young people and that the government is going to deliver on these needs expressed by the public; and

"Whereas the Ontario government has maintained that it must continue to cut to provide for the 30% rebate of provincial tax to Ontarians; and

"Whereas cutting funding for education contradicts the government's stated commitment to providing a quality educational program accessible to all students of this province;

"Therefore we, the undersigned, urge the Minister of Education and Training to instruct the Minister of Finance to withdraw the policy of providing the 30% Ontario tax cut."

This has been signed by more than 200 constituents in my riding. I attach my own signature as I am in full agreement with the sentiment.

LOTTERY TICKETS

Mr Peter Kormos (Welland-Thorold): I've got a petition that reads:

"We, the residents of Ontario, demand that Thorold Magazine be allowed to sell lottery tickets in accordance with the rules and regulations of the Ontario Lottery Corp, and not to be discriminated against because of large corporations having a monopoly and control of the lottery operations.

"We, the residents of Ontario, understand that this petition is to be presented to the Ministry of Citizenship, Culture and Recreation, Ontario Lottery Corp and the House of Commons Legislative Assembly of Ontario by the MPP for Welland-Thorold, who has been given no response to his request in the denial of lottery tickets to Thorold Magazine."

YORK COUNTY HOSPITAL

Mrs Julia Munro (Durham-York): I have a petition pertaining to York County Hospital's outpatient diabetic clinic signed by approximately 20 of my constituents from Queensville, Keswick, Holland Landing and Sutton. It appears in the standard form and I'm submitting it on their behalf today.

RENT REGULATION

Mr Mario Sergio (Yorkview): I have a petition addressed to the Legislative Assembly of Ontario for which I do approve of the contents and to which I will affix my signature.

"Whereas the Rent Control Act protects Ontario's 3.3 million tenants and allows for security and stability in their homes and communities; and

"Whereas lifting rent control in Ontario would leave tenants with uncontrollable rent increases and financial instability; and

"Whereas the Progressive Conservative government is considering changes to the Landlord and Tenant Act favouring easier and faster evictions by landlords;

"We, the undersigned tenants of 35 Shoreham Drive, North York, petition the Legislative Assembly of Ontario to save rent control."

I do agree and I will affix my signature.

1510

TAX REDUCTION

Mr Gary L. Leadston (Kitchener-Wilmot): I have a petition signed by a number of students in Waterloo region concerning health care, poverty and unemployment.

DELLCREST CHILDREN'S CENTRE

Mr Tony Ruprecht (Parkdale): Mr Speaker, I appreciate your recognizing this petition because it did take a long time. This is addressed to the assembly of Ontario.

"Whereas the Dellcrest Children's Centre is planning to open a 10-bed open-custody residence for children and youth at Dowling Avenue; and

"Whereas the residence is an inappropriate site for the rehabilitation of troubled kids because it is within walking distance to illicit drug and prostitution activities, a large number of unsupervised and supervised rooming houses that are home to ex-psychiatric patients, parolees and our society's most vulnerable and ostracized members, and a number of licensed establishments that have been charged with various liquor infractions; and

"Whereas the Ministry of Correctional Services and the Dellcrest Children's Centre have decided not to hold open discussion with our community prior to the purchase of this house for the purpose of an open custody residence; and

"Whereas the decision to relocate also expresses a total lack of regard towards our community's consistent and well-documented wishes for the Ontario government to stop the creation or relocation of additional social service programs or offices in an area that is already oversaturated with health and social services for disadvantaged, troubled and disenfranchised people;

"Therefore, we, the undersigned local residents and business owners, urge the Ministry of the Solicitor General and Correctional Services to suspend all plans to relocate this open-custody residence for troubled children and youth until a full review of the Dellcrest Children's Centre's decision can be conducted and explored so that alternative locations which are more appropriate can be sought."

This is one petition. I am signing my name to it, and I do have another petition right on my desk.

DRINKING AND DRIVING

Mr John R. Baird (Nepean): I have a petition addressed to the Legislative Assembly of Ontario from constituents in Nepean. It reads:

"Whereas drinking and driving is the largest criminal cause of death and injury in Canada; and

"Whereas every 45 minutes an Ontario driver is involved in an alcohol-related crash; and

"Whereas most alcohol-related accidents are caused by repeat offenders; and

"Whereas lengthy licence suspensions for impaired driving have been shown to greatly reduce repeat offences; and

"Whereas the victims of impaired drivers often pay with their lives while only 22% of convicted impaired drivers go to jail, and even then, only for an average of 21 days;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We urge the provincial government to pass legislation that will strengthen measures against impaired drivers in Ontario."

I affix my signature.

USER FEES

Mr Tony Ruprecht (Parkdale): I am happy to hear the petition from the member for Nepean, who didn't vote for Bill 51 today.

The Speaker (Hon Allan K. McLean): Will the member please put his petition?

Mr Ruprecht: I withdraw, of course, Mr Speaker. I am sorry. I got carried away because I was so interested in Bill 51 today.

This petition goes to the assembly of Ontario.

"Whereas the Ministry of Health will begin to charge seniors a \$2 user fee for each prescription filled beginning June 1, 1996; and

"Whereas health care experts have asserted that user fees for drugs could jeopardize the health of individuals who cannot afford to pay for their medication; and

"Whereas Ontario's ex-psychiatric populace rely heavily on prescription drugs to remain stable, and health care providers and the general public are scared of the outcome if these patients cannot afford to buy their medication because of this \$2 user fee, when it is normal policy to only prescribe them a two- or three-days' supply of medication to prevent potential misuse or overdosing; and

"Whereas the perceived saving to health care from a \$2 copayment fee will not compensate for the suffering and misery caused by this user fee and will not even cover the costs of extra emergency services nor repeated hospital services — the \$2 copayment fee will consequently not lead to cost savings but rather increases in the case of expensive health care services; and

"Whereas the current Minister of Health, Jim Wilson, promised as an opposition MPP in a July 5, 1993, statement to Ontario pharmacists that his party would not endorse legislation that will punish patients to the detriment of health care;

"Therefore we, the undersigned Ontario residents, strongly urge the government of Ontario to repeal this user fee plan before it takes effect on June 1, 1996, because of the potential dramatic increase in emergency

and police services and the suffering and misery of human lives, especially psychiatric outpatients and those who depend on medication for their daily survival."

I've affixed my signature to this document because I agree with the petition.

PUBLIC SERVICES

Mr John Gerretsen (Kingston and The Islands): I have a petition that's addressed to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario.

"Whereas the Ontario government plans to sell off public services to corporations who will run them for a profit; and

"Whereas after the corporate takeover it will be strictly user-pay for the services we now depend on; and

"Whereas our clean air and water standards and worker safety rules are being relaxed because corporations don't like rules that interfere with profits; and

"Whereas privatization is being sold as a way to save tax dollars, even though large companies pay little or no taxes, while individual Canadians pay most of the total tax bill; and

"Whereas Bill 7 was introduced in the interests of facilitating its privatization agenda by stripping public sector workers of their rights to retain fair working conditions when services are transferred or privatized;

"We, the following citizens of Ontario, beg leave to petition the Parliament of Ontario to abandon the selloff of Ontario public services and reinstate successor rights for public service employees."

I have affixed my signature to that.

TAX REDUCTION

Mr Dalton McGuinty (Ottawa South): I have a petition which reads as follows:

"We, the undersigned, request that the Legislature of Ontario not approve any tax cuts until the causes of poverty and unemployment in Ontario are dealt with effectively and until the province's debt and deficit are paid down."

The Speaker (Hon Allan K. McLean): I'd just like to draw to the attention of the members who are presenting petitions that it's their duty to make sure that those petitions are in order. I have noticed where some of the petitions have not been in order where they've spent two minutes reading them in the record.

WITHDRAWAL OF BILL 37

Mr Bud Wildman (Algoma): On a point of order, Mr Speaker: I understand that we have unanimous consent of all three parties for me to withdraw Bill 37, which is in the order paper.

The Speaker (Hon Allan K. McLean): Is that agreed? Agreed.

ONTARIO HIGHWAY TRANSPORT BOARD AND PUBLIC VEHICLES AMENDMENT ACT, 1996

LOI DE 1996 MODIFIANT LA LOI SUR LA COMMISSION DES TRANSPORTS ROUTIERS DE L'ONTARIO ET LA LOI SUR LES VÉHICULES DE TRANSPORT EN COMMUN

Deferred vote on the motion for third reading of Bill 39, An Act to amend the Ontario Highway Transport Board Act and the Public Vehicles Act and to make consequential changes to certain other Acts / *Projet de loi 39, Loi modifiant la Loi sur la Commission des transports routiers de l'Ontario et la Loi sur les véhicules de transport en commun et apportant des modifications corrélatives à certaines autres lois.*

The Speaker (Hon Allan K. McLean): It's my understanding there's been agreement for a vote. It will be a five-minute bell. Call in the members.

The division bells rang from 1519 to 1524.

The Speaker: Would all members take their seats, please.

We're dealing with third reading of Bill 39, standing in the name of Mr Palladini. All those in favour please rise one at a time.

Ayes

Arnott, Ted	Hodgson, Chris	Preston, Peter
Baird, John R.	Jackson, Cameron	Rollins, E.J. Douglas
Barrett, Toby	Johnson, Bert	Ross, Lillian
Bassett, Isabel	Johnson, David	Runciman, Bob
Beaubien, Marcel	Johnson, Ron	Sampson, Rob
Brown, Jim	Jordan, Leo	Saunderson, William
Carroll, Jack	Kells, Morley	Shea, Derwyn
Chudleigh, Ted	Klees, Frank	Skarica, Toni
Clement, Tony	Leach, Al	Smith, Bruce
Danford, Harry	Leadston, Gary L.	Snobelen, John
DeFaria, Carl	Marland, Margaret	Stewart, R. Gary
Doyle, Ed	Maves, Bart	Stockwell, Chris
Flaherty, Jim	Munro, Julia	Tilson, David
Ford, Douglas B.	Murdoch, Bill	Turnbull, David
Fox, Gary	Mushinski, Marilyn	Villeneuve, Noble
Galt, Doug	Newman, Dan	Wilson, Jim
Gilchrist, Steve	O'Toole, John	Witmer, Elizabeth
Grimmett, Bill	Ouellette, Jerry J.	Wood, Bob
Guzzo, Garry J.	Palladini, Al	Young, Terence H.
Hardeman, Ernie	Parker, John L.	
Harnick, Charles	Pettit, Trevor	

The Speaker: All those opposed will please rise one at a time.

Nays

Bisson, Gilles	Gerretsen, John	Phillips, Gerry
Bradley, James J.	Gravelle, Michael	Pouliot, Gilles
Castrilli, Annamarie	Kormos, Peter	Ruprecht, Tony
Christopherson, David	Lalonde, Jean-Marc	Sergio, Mario
Churley, Marilyn	Lankin, Frances	Silipo, Tony
Cordiano, Joseph	Martin, Tony	Wood, Len
Curling, Alvin	McGuinty, Dalton	
Duncan, Dwight	Morin, Gilles E.	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 61; the nays are 22.

The Speaker: I declare the motion carried. Be it resolved that the bill do now pass and be entitled as in the motion.

BUSINESS OF THE HOUSE

Hon David Johnson (Chair of the Management Board of Cabinet): I have the weekly business statement. Pursuant to standing order 55, I wish to indicate the business of the House for the week of June 3, 1996.

On Monday, June 3, we will continue with second reading of Bill 49, An Act to improve the Employment Standards Act.

On Tuesday, June 4, we will be in opposition day standing in the name of the leader of the official opposition.

On Wednesday, June 5, notwithstanding standing order 42(d), I believe we have unanimous consent to consider the opposition day motion standing in the name of the interim leader of the third party on the understanding that there will be no opposition days the week of June 10.

On Thursday, June 6, we hope to complete second reading of Bill 49, An Act to improve the Employment Standards Act. For Thursday morning's private members' business, we will consider ballot item number 33 standing in the name of the member for Windsor-Riverside, and ballot item 34 standing in the name of the member for Etobicoke-Rexdale.

The Speaker (Hon Allan K. McLean): The minister has indicated that we had consent with regard to the second opposition day next. I want to know if the House has agreed to that consent. Agreed. There will not be an opposition day the following week.

1530

ORDERS OF THE DAY

EMPLOYMENT STANDARDS IMPROVEMENT ACT, 1996

LOI DE 1996 SUR L'AMÉLIORATION DES NORMES D'EMPLOI

Mrs Witmer moved second reading of the following bill:

Bill 49, An Act to improve the Employment Standards Act / Projet de loi 49, Loi visant à améliorer la Loi sur les normes d'emploi.

Hon Elizabeth Witmer (Minister of Labour): Today I am extremely pleased to have the opportunity to bring Bill 49 forward for second reading. The amendments being proposed in Bill 49 will certainly assist in streamlining the Employment Standards Act. They will also encourage compliance with the act and self-reliance by the workplace parties, and improve the enforcement of standards for vulnerable employees, who are truly dependent on the government for protection.

The amendments will enable us to focus our resources to help those who most need our help. However, most important — may I please have some water? Can somebody else go?

The Acting Speaker (Ms Marilyn Churley): We'll wait for a couple of minutes.

Hon David Johnson (Chair of the Management Board of Cabinet): How can we deal with this, Madam Speaker?

Clerk of the House (Mr Claude L. DesRosiers): Mr Baird can continue.

The Acting Speaker: The member for Nepean.

Mr John R. Baird (Nepean): I'm very pleased to have the opportunity today to rise and speak in favour of Bill 49 changes to the Employment Standards Act. Since the passage of the Employment Standards Act, the ESA, in 1974, Ontario's economy has changed significantly. However, only piecemeal changes have been made to the act on more than a dozen occasions. As a result, Ontario's Employment Standards Act is overly complex, difficult to manage and unnecessarily expensive to enforce.

It's time to streamline the Employment Standards Act to serve its original purpose: providing clear, effective and efficient standards for Ontario's workers and employers. Doing so will benefit all Ontarians by cutting red tape, improving government services and promoting job creation in the province of Ontario.

The changes which the government has introduced in Bill 49 form the first part of a very comprehensive review of the Employment Standards Act. The first phase will begin to cut through years of accumulated inefficiencies within the act. It will encourage workplace parties to become more self-reliant in resolving disputes and make the Employment Standards Act more relevant to the needs of the modern workforce and workplace in the 1990s and into the next millennium.

Most important, however, these actions will help the Ministry of Labour concentrate its resources on protecting the most vulnerable of workers in the province. Different challenges have arisen in the 1990s and the act needs to respond to those challenges.

Bill 49 allows unions and employers to negotiate mutually beneficial arrangements as part of their overall collective agreement. I know some have accused our government of trying to eliminate basic employment standards protection for workers in Ontario. That characterization, simply put, is wrong. Let me state clearly that these changes will not reduce the minimum standards of employment for Ontario workers.

On the contrary, Bill 49 provides a simple and effective way to introduce much-needed flexibility which will improve working conditions for workers across Ontario. We're giving the workplace parties themselves, in unionized workplaces, the opportunity to negotiate standards which best suit the needs of their particular situation.

Our government is working to improve worker protections in Ontario while creating a favourable climate for business. If we are able to strike this delicate balance and bring much-needed jobs back to the province, we must rethink the rigid bureaucracy and red tape of the past. In this day and age, Ontario's workplaces need flexibility from the government to be more competitive in the global marketplace. Furthermore, new technologies, being introduced at a rapid pace, are radically changing working conditions and indeed work itself.

We couldn't really expect that legislation designed to serve the working environment of 1974 is able to conform to the working conditions and opportunities Ontarians expect in 1996.

Mr Ron Johnson (Brantford): No way.

Mr Baird: Certainly not, I would agree with my colleague.

Can it be that members of the opposition have become so dependent on inflated government bureaucracy and red tape that they actually fear the thought of greater flexibility and self-reliance in the province of Ontario?

We all know what happens to creatures which fail to adapt to changes which affect them. I, for one, am not prepared to allow Ontario's labour market to number in this list of extinction.

Able-bodied and skilful and ambitious Ontarians have called upon this government to prepare Ontario and Ontario's economy for the next century and indeed the next millennium. Ontarians want a better standard of living for themselves and for their children.

That expectation cannot be fulfilled without a streamlined, efficient, responsive and flexible Employment Standards Act. Ontarians deserve nothing less.

Some specific points to discuss with respect to the legislation:

Under the terms of Bill 49, employers and unions will only be allowed to negotiate variations on five clearly defined standards, and it's important to note that. Among those standards: hours of work, overtime pay, paid vacation, public holidays and severance pay. These are the only standards which can be altered through the collective bargaining process. Furthermore, changes to these standards will only be valid if the final package as a whole is better, increases the minimum under prescription in legislation, the current amended Employment Standards Act, and that's very important to note. It can only be better as a package, not less, so it's not about seeing a decline in standards as a whole. Put more clearly, negotiated changes can be made to these five standards if, and only if, the final package in its entirety provides workers with better protection.

We believe that freely negotiated terms and conditions of employment can not only fit the circumstances of their parties better but that they can encourage more compliance, which I think is our ultimate goal.

It's very important to note, however, that the legislation also provides for an independent assessment by an arbitrator if there's any question as to whether a negotiated agreement is superior to the standards set out in the Employment Standards Act. This will ensure that the rights of workers are protected and the requirements of the Employment Standards Act are upheld.

This issue has received much discussion in the province of Ontario. On the very first day this government introduced this legislation, we addressed the concern coming from a number of members opposite that if they were concerned that this would see a reduction in the overall minimum standards, this government was open to receiving any amendments to help clarify and help ensure that any concerns they might have would be addressed. That's very important to note.

In this province, we've all heard of examples of workplaces where the inflexibility and rigidity of the Employment Standards Act prevents positive and beneficial workplace changes from taking place. On many occasions, both employers and employees have successfully agreed on special terms of employment, but because their agreement violated the text of the ESA, they have been unable to convince the Ministry of Labour and the employment standards officers to allow for an exception. As a result, the inflexibility of the Employment Standards Act ensures that both employees and employers lose in the process. I think these examples provide the best reasoning why this government's proposed changes are so desperately needed.

I want to deal with another important issue contained in this bill, that is, the use of collection agencies. Another component of Bill 49 which will clearly help keep the needs of workers paramount is the planned use of collection agencies to retrieve fines levied under the Employment Standards Act from employers. The measures contained in this bill will ensure that workers get financial settlements faster, ensure that companies which violate employment standards pay for it and ensure that law-abiding employers operate on a level playing field.

1540

The Ministry of Labour is determined to refocus its attention on the core responsibilities of setting, communicating and enforcing employment and workplace standards. In order to move this agenda forward, the ministry plans to contract out the collection of unpaid wages, unpaid vacation pay and other money owed to employees under the employee wage protection plan. By using private sector collection agencies, the Ministry of Labour will be relieved from the expensive and difficult job of fine collection, and this will lead to more efficient and effective use of the ministry's resources in areas where they are most needed. More effective collection of these fines will improve enforcement and act as a strong deterrent for those who would choose to violate the Employment Standards Act.

Above all, however, the efficient collection of fines will benefit workers who are owed wages or vacation pay, many of whom at present must wait for unacceptably lengthy periods to receive the pay to which they're entitled, regrettably too often the most vulnerable workers. Employment standards officers will issue an order to the employer and they simply never receive the money.

This measure is good for workers. It will ensure that after an employment standards officer has conducted a very thorough investigation and makes an order, those employers pay up. Something else it will do is to ensure that law-abiding companies that fully accept the responsibilities under the Employment Standards Act aren't required to pay for deadbeats who break the act and who don't accept their employment responsibilities in Ontario. This will help the most vulnerable workers.

I believe that the privatization of collection agencies in terms of the collection of moneys owed to workers is very important. I think it will ensure that more workers get more of their money and that they get it faster. That's

the job of this provincial government, which feels very strongly that when orders are made, employers who are negligent and don't accept their responsibilities under the Employment Standards Act have to pay up. It will create a level playing field because the rest of the by and large honest and law-abiding employer community won't have to pick up the tab. That's a welcome change for those of us who want fairness.

The bill also deals with the modification of appeal periods and better focuses the ministry's investigations. In keeping within our goal of making workers and employers more self-reliant in dispute settlement, the Ministry of Labour will promote more cost-efficient enforcement of employment standards. We will do this by modifying the limitation period for claims, proceedings, prosecutions and appeals. Employees will have up to six months to file a claim with the ministry, and after six months employees may still pursue claims through other avenues such as the courts. In cases of recurring violations, the Ministry of Labour will seek to obtain up to one year in back pay for claimants.

Our legislation will now give the courts the clear authority in a prosecution to order an employer found in violation of the Employment Standards Act to pay money owed to an employee. The limitation period for appeals will be increased to 45 days from its present 15. We feel this is an important change since the shorter period did not allow the parties enough time to consider whether they should or should not exercise their right to an appeal under the current act. This is important because we found in too many cases there were precautionary appeals launched. Simply put, individuals wouldn't know whether they should appeal, so they appealed on a precautionary basis and then withdrew the appeal subsequent to further examination. We believe this will make the system far more efficient.

These changes will also make claims of Employment Standards Act violations easier to investigate and easier to settle. Streamlining this process will also enable employment standards officers to focus on the resolution of claims. This is truly good news for workers in the province of Ontario.

We are also working to eliminate duplication and make better use of our resources at the Ministry of Labour by no longer investigating and enforcing employment standards claims that are being pursued through other means. Under the proposed changes included in Bill 49, claims will have to be pursued using the procedures outlined in their respective collective bargaining agreements. An arbitrator will have the power to order the payment of money owed to employees by their employers.

In cases where the employer is unable to pay, an arbitrator's order could lead to the employee being reimbursed from the Ministry of Labour's employee wage protection program, an important part of the Ministry of Labour's overall mandate. This change will seek to cut red tape, ensure that the Ministry of Labour is able to deal effectively and efficiently with the most vulnerable workers in our community and bring in a number of administrative efficiencies, some good common sense, something that's very important in the 1990s.

The Employment Standards Act was written in 1974 and has been amended some 12 times. We have a patchwork that's often ineffective and inefficient, and these changes will bring much-needed reform to the act.

The Deputy Speaker (Mr Bert Johnson): The Chair recognizes the Minister of Labour.

Hon Mrs Witmer: I'm pleased to ask for unanimous consent to make a presentation.

The Deputy Speaker: Is there unanimous consent? Agreed.

Hon Mrs Witmer: I'm pleased to have the opportunity to once again bring Bill 49 forward. The amendments that are being introduced today are intended to streamline the Employment Standards Act. They will certainly encourage compliance with the act as well as self-reliance by the workplace parties, and ultimately they will improve the enforcement of standards for vulnerable employees who are truly dependent on the government for protection.

The amendments we are introducing will enable us to focus our resources to help those employees most in need of the help of the government. However, Bill 49 moves us towards an effective employment standards program to meet the workplace needs of the 1990s. The legislation as presently written is out of date, and oftentimes we're not capable of enforcing the act. For years there has been difficulty in properly enforcing the act, and obviously we want to change that.

The workforce and the work have changed dramatically while the Employment Standards Act has stood still. The act at the present time is not providing adequate protection to some of the jobs that are emerging, such as telemarketing and the changing structure of work in the garment industry. As we embark on a review of the Employment Standards Act, we are going to deal with the changing needs of the workplace.

This act was first passed in 1974. Not only have there been changes in the workplace, there have been changes in technology. We are also competing globally, and as a result we're seeing tremendous changes in the relationship between the employer and the employee. Both employees and employers today are recognizing that there is a need for greater adaptability and greater flexibility. Even though there have been minor amendments to the act 18 times, unfortunately there has been no major review or overhaul. As I stated before, the act simply does not reflect the new economy and does not reflect the new workplace.

In summary, the act has become increasingly more complex, it has become contradictory, it is rigid, and unfortunately many employees and employers and even enforcement officers find it somewhat confusing. It is time to start a reform of the Employment Standards Act.

Bill 49 is the first part of a two-phase review of the act. As we undertake our comprehensive review of the Employment Standards Act, we will be consulting extensively with employers, employees and trade unions to ensure that the revised act will meet the needs of today's workplace. The protection of vulnerable workers will be fundamental as we look at reviewing the act, and certainly the minimum standards that are providing the

necessary protection to the vulnerable employees will continue to be guaranteed as we make our reforms.

1550

The amendments in the act before us will certainly help with the efficient and effective administration of the act, and I want to stress that we are not altering in any way the standards. Unfortunately, there have been those in opposition who have made some statements indicating that, and we are simply not doing that.

Consistent with our intention to encourage the workplace parties to become more self-reliant in dealing with their own disputes, we are actually introducing some changes that are going to improve and speed up the complaint and dispute resolution process, and where appropriate, our employment standards officers are actually going to be able to help the parties resolve their disputes before we do any time-consuming, full-scale investigation. Obviously, the resulting settlement in that case will be binding on both parties. So the parties can fashion a remedy that is acceptable to them before any investigation takes place. By doing so, obviously the dispute is dealt with in a more timely manner. It also allows for our employment standards officers to be freed up to focus on the much more complicated cases.

In addition, the act is going to be changed so that the parties to a collective agreement will be expected to manage the resolution of all of their disputes in the same manner; that is, they will be able to manage all of their disputes through the grievance procedure set out in their collective agreement. In other words, the bargaining members can rely upon the support and resources of the union, and they can look to the grievance procedure as the mechanism for resolving employment standards complaints rather than coming to the ministry. In fact, most employment standards complaints in unionized workplaces today already use that method. This grievance arbitration process is one that is familiar for the employees and for the employers, and certainly they will be able to continue to use that and they will be able to use the resources and the support of their own union in pursuing their claims.

Complaints are going to be heard then by an arbitrator who will be chosen by the mutual agreement of the union and the employer. Again, this is a change that is going to allow the ministry staff to devote more time to dealing with claims that are made by non-union employees who do not have the access to formal grievance procedures. Again, that will help us to provide better service, faster service, for unorganized employees.

The amendment is going to encourage the workplace parties to assume greater responsibility for their own affairs and make them more self-reliant.

The act is also going to be amended to increase the flexibility of unions and management to negotiate certain employment standards as part of their collective agreements. We believe that freely negotiated terms and conditions of employment will be more responsive to the needs of the individual workplace, and we believe that in this way we can encourage compliance with the act. This is necessary at a time when technology is rapidly changing in the workplace and at a time when work itself is changing. We just have to take a look at the prevalence

of just-in-time delivery systems in today's economy to understand how work and the workplace are changing. As we continue to compete globally and as we continue to take a look at the different needs of the individual workplace, obviously we need to look at greater flexibility.

So the workplace parties, together, will have the opportunity to determine a package of standards for hours of work, for overtime pay, vacation pay, public holidays and severance pay as long as the overall package that is negotiated exceeds — and I stress the word “exceeds” — the standards set by the act. I want to also stress that they will not, as the opposition seems to like to say they will, reduce minimum employment standards. I want to stress they will not reduce minimum employment standards.

Currently what is happening in the workplace when you have a collective agreement is that the parties can bargain for alternative provisions to some standards. That's happening already today. They can negotiate arrangements for severance pay where there is a mass termination. They can also agree to extend daily and weekly hours beyond the statutory maximum. They can substitute a different day for a public holiday. However, these standards can only be dealt with at the present time individually, not as a package of standards as we are proposing. The proposal in our bill is building on that particular part and will give more flexibility than what is already contained in the act.

Some people have asked why this is necessary. I just want to highlight one example. We had a request from a unionized company where all of the employees in a bargaining unit came to an agreement with the employer for special working hours. Then they of course approached the Ministry of Labour with the request to allow the employer to operate under the agreed-upon working hours. However, they were told by the ministry that according to the current laws they were not allowed to agree to and introduce specific working hours different from the requirements of the act. So even though the workers and the employer agreed to the special working hours, it could not be implemented according to the Employment Standards Act as it exists today. In this case, both the employer and the employees were not able to get what they determined to be in their best interests.

This is the type of situation we want to avoid in the future. We want to give the workplace parties the opportunity to negotiate a package of standards which are higher overall than the standards presently provided by the ESA. However, we want to make sure that it's done in such a way that it will suit the needs of the particular workplace.

This is a proposal that has received a great deal of attention. As we go out into the area of public hearings this summer, we are certainly looking forward to hearing the views on this particular provision.

I would like to make it clear too that this provision does not allow the workplace parties to negotiate contracts outside of the act. The underlying standards set out in the act will still be in place. Rather, we are providing greater flexibility in allowing the parties to negotiate a more varied package of provisions for a limited number of standards which respond to their unique needs and which will be more favourable to the employees.

Since the new law will only allow negotiated standards which result in a package which is more favourable to employees, what option is there for employees who feel that is not happening?

Any employee who believes the union has agreed to an overall package which is not better than the act's minimum standards will be able to raise his or her concerns through the established grievance procedure, and an arbitrator might therefore be asked to determine if the package met the test of the Employment Standards Act. An employee who believed that the package, taken as a whole, was not superior to the Employment Standards Act standards could appeal to the OLRB, the Ontario Labour Relations Board, as well.

1600

Finally, if there is still dissatisfaction, there is a provision of the amendment that would permit the director of employment standards to entertain a complaint if the director considers it appropriate.

Certainly there are many avenues for employees to appeal if they do not believe the package as a whole is superior to the Employment Standards Act standards.

We also propose to streamline the administration of the act so that the employment standards officers are able to work as efficiently as possible to ensure compliance with the act and to find the most cost-effective means of enforcing standards by more fully employing modern technology.

Accordingly, one of the initiatives we are proposing is to utilize private collection agents to recover moneys owed to employees by employers. Today this is a very time-consuming and expensive service which we believe can be better provided through the specialized services available in the private sector. In cases where the employer refuses to obey the order to pay, private collection agencies will ensure that the moneys owed are collected and remitted to employees. It is the debtor employer who will be responsible for the cost of collection, including a reasonable fee for the agency's collection work.

We fully expect that this will result in a speedier remission of moneys owed to the employees, and of course it is important that the employee receive the money as quickly as possible. This will also allow our employment standards officers to carry out the work of enforcement. We hope that when the legislation is passed employees will see their money more quickly than they have in the past.

The ability to use more modern technology will also enhance the efficiency and effectiveness of our officers by ensuring that they have access to all the information needed to enforce the rights of the workers they represent. We're making a number of changes to take advantage of the speed and the economy of electronic communications and other new information delivery services. Employees will now be able to file their complaints with us by fax; investigating officers will be assured access to electronic records; and the ministry will be able to serve notices on the parties by any form of verified delivery, including facsimile.

These changes, of course, are entirely consistent with current business practices. They do not in any way, shape or form affect the kind of information to which employ-

ment standards officers currently have access. It will be the same information base they've always had access to.

We have reviewed as well the various limitation periods under the act and we've compared our practices with those of the other provinces. As a result, we are going to make some other changes.

We have decided to lengthen the period in which claimants can appeal decisions on employment standards claims from 15 days to 45 days. We believe this will provide the time needed for the parties involved to consult with legal counsel and fully consider all of their options before proceeding.

In addition, we are clarifying certain limitation periods to ensure greater certainty for employers and employees, again to enhance compliance. To eliminate the confusion associated with launching a proceeding or a prosecution under the Employment Standards Act, the act will be changed to specify clearly that an employment standards officer must issue, or refuse to issue, an order to an employer to pay within two years of a complaint. Where an investigation of a claim brings to light the violations affecting employees other than the complainant, an officer will be able to issue an order up to two years after these other violations are discovered.

We're also clarifying the time period for launching a prosecution or appointing a referee.

Finally, we are ensuring that as a result of a successful prosecution a court can order the payment of money owed to an employee even if the time limitation has expired by the time the decision is made.

Since investigations by employment standards officers of excessively old claims are often hampered by a lack of evidence and the poor recollection of witnesses, as well as the fact that we spend a disproportionate amount of administrative resources on these old claims — and unfortunately it does not always result in comparable benefits to the claimants — we are proposing to replace the current two-year limitation period for filing an employment standards claim with six months.

Ontario presently has a much longer claim period than the other Canadian provinces. In the case of the other provinces, they range from six months to a year. We are introducing the six-month period, and of course this new limitation period, as some of the others that we are introducing, is very consistent with changes that have been made in other Canadian jurisdictions. Again, it will allow our ministry resources to help those individuals who are the most vulnerable and in need of our support.

We're also placing a \$10,000 ceiling on the value of orders that are issued by an employment standards officer on behalf of an individual claimant. However, an exception is going to be made for large claims that arise out of violations of the pregnancy and parental leave and the Sunday and holiday retail work standards. This provision recognizes that reinstatement in those cases, where it is possible, often represents the best way to resolve these conflicts for all the parties involved. Since the courts are reluctant to grant reinstatement, I believe it is important that the Ministry of Labour maintain control of those cases where the employers and employees still have a full range of remedies available to them.

For those people who have indicated this cap on claims is new, until 1991 there was a \$4,000 cap on claims. This excluded termination and severance pay. What happened is that when that cap was removed, unfortunately, those with large claims decided that not only could they now use the ministry but they could also pursue civil action. We have people using our scarce resources in two different ways.

I also want to mention that the percentage of claims that exceeds \$10,000 is quite small. They are about 4% and they often involve individuals who are in middle management positions. However, these claimants have taken up a disproportionate amount of the ministry's scarce resources because they are often also very complex. We believe these scarce resources should be devoted to helping those with smaller claims, those people who have no recourse to the courts; that's simply not an option for them. The employees who wish to make a claim larger than \$10,000 will be able to do so through the courts. However, this provision does not prevent them from pursuing claims worth more than \$10,000 through the employment standards branch. However, the order that is issued will only be for up to \$10,000.

1610

All employees are going to have to decide at the outset now which avenue they use to pursue an employment standards complaint: Do they want to use the ministry or do they want to use the courts? This is going to avoid the duplication of procedures and it will certainly enable us to better utilize our scarce resources.

In a time of fiscal restraint, it is important that the government focus its energy and resources in these areas where they are most needed. This \$10,000 maximum will certainly allow the ministry to do so and it will also ensure that all workers maintain viable options to exercise their rights.

Claimants who apply to the employment standards program are going to be given a two-week grace period. That grace period is there to allow them to decide before they select the process. Once they select the process, of course, that's final. So the two weeks are going to allow claimants the time to obtain legal advice and to consider whether or not they want to launch a civil action in the courts.

Again, for the reasons I mentioned earlier, we are exempting from this election the requirement claims for which a remedy of reinstatement could be granted.

In our legislation, we have also given the authority to set by regulation a minimum claim amount, although I want to assure you we have no plans to do so at the present time. We believe and we anticipate that by amending the Employment Standards Act to give employment standards officers the right to attempt to mediate claims between employers and employees even before starting investigation, this is going to result in the very quick settlement of many small claims, and that will reduce the need to establish a minimum claim limit.

The act is also going to be used to clarify employee rights regarding seniority and entitlement to vacation time and vacation pay under the pregnancy and parental leave provisions. This clarification will certainly reduce the claims and the litigation in these areas.

In accomplishing these changes, we have been able to simplify some of the sections of the act, making it more user-friendly and accessible.

We're also going to take the opportunity in the bill to correct some of the drafting errors that are there. Those drafting errors are in both the English and French versions, and we want to make sure they are now corrected.

Finally, we are going to be enacting a series of transitional provisions to ensure that parties have adequate notice of these impending changes. Obviously, these changes will not come into effect until such time as the act is passed. Someone asked me the other day, "Are these retroactive?" I would indicate to you that, no, they are not. There will be no changes made until the legislation is passed.

As I've indicated, the act is out of date. The act is in need of revision. Certainly it has not kept up with the changes in the workplace or the changing employer-employee relationship. We believe it's very important that we start with the changes. We're looking forward to the first part, the changes we're proposing in Bill 49, and then we are looking forward to working with the stakeholders and making sure we take a look at the complete act. We will be releasing a white paper and we hope to have that out for consultation next fall, and hopefully some time in 1997 we will be able to deal with legislation that would complete the review and the reform of the Employment Standards Act.

This initiative is certainly consistent with our commitment to encouraging greater self-reliance among the workplace parties. It will enable us to cut red tape. It will make this piece of legislation more relevant to the needs of the workplace today. At the same time, it will continue to protect employees by ensuring a fair balance of the rights and responsibilities of the workplace parties. It's also going to create the needed flexibility for the workplaces that will demonstrate that high standards and sound workplace practices are necessary. At the same time, it is going to ensure that there is greater compliance with the act and more efficient and effective enforcement.

I certainly look forward to hearing the input of the stakeholders this summer and I look forward to the comments that will be made by the opposition critics. We certainly anticipate there will be good discussion and debate.

I want to conclude my remarks by saying that this is a task that is long overdue. In my five years in opposition I had employees and employers approach me regularly asking us to make sure there was a review of the Employment Standards Act because it was in many instances so ambiguous, so confused, so difficult to understand. I'm pleased that our government has finally decided to respond and make the changes that are long overdue.

The Deputy Speaker: Comments and questions?

Mr Dwight Duncan (Windsor-Walkerville): I want to thank the minister for her statement. I'll have an opportunity to respond in greater detail, but we do take exception to a number of the comments and have very strong disagreements which I will be pleased to outline in greater detail.

I do want to express to the minister how we look forward to her joining us in committee this summer as we

travel across the province. I know that just this week she had the opportunity to break bread with her friends in the labour movement. I know she would certainly be welcome in places like Windsor and Hamilton and Thunder Bay and North Bay and Ottawa and many other great parts of this province, and I know that she will want to undertake to join us.

Mr Baird: I'll come back to Windsor, Dwight.

Mr Duncan: Yes, Mr Baird's been to Windsor. I know the minister wasn't able to attend at that particular event, but we look forward to her joining us in that committee hearing because we think it is important to consult and we would think it important that the minister would avail of herself when this House isn't sitting and when all of us are doing this important committee work that she sees as being important. We know and we trust that she will indeed join us for those three weeks of hearings as we travel Ontario to listen to people and their views on the Employment Standards Act.

Though I wasn't here while she was the opposition critic, I know that in the past she has expressed and indeed wrapped up her speech by saying how important this process is. So I indeed will be writing people all over Ontario urging them to urge the minister to join the hearings and come throughout Ontario and listen to what people have to say about this bill and other labour initiatives that she has undertaken.

The Deputy Speaker: Comments and questions? Would the minister like two minutes?

Hon Mrs Witmer: I'll just make a quick response and indicate to the member from Windsor-Walkerville that although I might be there, perhaps you might not be. I just want to wish him well in whatever future he chooses for himself.

But certainly I know Mr Baird is looking forward to touring the towns and cities of Ontario, and if I have the opportunity, I certainly will take advantage to hear first hand some of the representation that will be made. As I indicated, I think it is a very significant piece of legislation. It's a piece of legislation that does protect the most vulnerable employees in this province, and as I indicated, the reform is long overdue. So I certainly do look forward to the input and advice we get.

1620

ROYAL ASSENT SANCTION ROYALE

The Deputy Speaker (Mr Bert Johnson): I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to assent to certain bills in his office.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): The following are the titles of the bills to which His Honour doth assent:

Bill 39, An Act to amend the Ontario Highway Transport Board Act and the Public Vehicles Act and to make consequential changes to certain other Acts / Projet de loi 39, Loi modifiant la Loi sur la Commission des transports routiers de l'Ontario et la Loi sur les véhicules de transport en commun et apportant des modifications corrélatives à certaines autres lois

Bill 48, An Act to implement the International Fuel Tax Agreement / Projet de loi 48, Loi mettant en oeuvre l'accord appelé International Fuel Tax Agreement.

EMPLOYMENT STANDARDS IMPROVEMENT ACT, 1996 LOI DE 1996 SUR L'AMÉLIORATION DES NORMES D'EMPLOI (continued)

The Deputy Speaker: On second reading of Bill 49, further debate?

Mr Duncan: I'm pleased to have an opportunity to rise and discuss with this House and those watching our views on the amendments contained in Bill 49, and to have a discussion about the need the minister's referred to for change in this particular statute and where we stand on some of the issues. We need to focus that in the context of the government's entire record to date on labour relations, because regardless of what one thinks of that record, it has no doubt been a busy agenda since last June and it has been an agenda that has been very focused and the subject of some controversy.

We find interesting, to begin with, that these particular amendments were not discussed at any length in the Common Sense Revolution. In that sense, it represents the first attempt at some substantive labour law reform that wasn't contemplated in the election and therefore does need to be thoroughly vetted. I'll have some comments about how that ought to be vetted and over what period of time, and what issues should be on the table.

The minister has expressed her surprise that critics in the opposition and observers of the labour markets in this province and practitioners in the field of labour law have suggested that these are not simply housekeeping amendments. She has expressed concern that in her view some of the government's positions have been misrepresented. But the minister ought to be cognizant that many people who deal with labour law and deal in labour markets in this province have grave concerns about the government's record and how it has conducted public policy in the area of labour law.

We remember very clearly and vividly Bill 7, which was hastily introduced. It gutted the Labour Relations Act. There was no opportunity for public hearings. I remember that big document of amendments. It was 600 pages, 400 pages long? We had all of about 10 minutes to look at. I'm pleased to note that after Bill 26 the government recognized that you can only get away with those kinds of games for so long and now is more committed to the process of public consultation.

There was no opportunity for public hearings on Bill 7, and the Labour Relations Act arguably is one of the most important statutes in this province. We voted against that particular bill for a whole variety of reasons which we won't be debating here today. That bill and the way the minister and the government conducted themselves have led to anxiety, not only among union leaders and working people, but among practitioners of labour law in this province. The amendments in that bill made it more difficult for workers to organize and bargain collectively. It made it easier for employers to break the collective

will of working people. It restored the right to use replacement workers.

When the minister expressed her surprise today that these types of concerns have been raised, she shouldn't have been surprised because it was her and it was this government, by the way they conducted their public policy earlier in the mandate, that have in effect set the tenor, set the tone. We've seen angry backlash across the province.

Earlier this week the minister and the Premier met for the first time with senior labour officials. The press accounts varied about that meeting. Some said it was cordial, others that it was a difficult meeting. I don't know; we weren't privy to it.

I do know that the labour relations climate in this province has declined dramatically since this government came to office. I have over the course of the last year met with numerous labour leaders, working people, business people and economists, all of whom have spoken of the importance of harmonious labour relations, not only for the workplace, but for the economy in general.

One of Ontario's great strengths over the years has been a relatively stable labour climate, a climate that didn't just happen but evolved. It evolved with improving laws. It evolved with more sophisticated bargaining. We said last year and we say again today that when a government pursues the course of action this government is pursuing you take a risk that you will undermine what is essentially a very important component of this province's economic stability and economic health.

To some extent we have yet to see the full consequence of that. We've seen rotating general strikes. We will see yet another one, I'm given to understand, later this fall here in Toronto. We have seen smaller protests. We are seeing a slow deterioration of the climate in workplaces. We see elements of distrust between employers and organized labour, employees.

We are very concerned about that and we think everybody in the province ought to be concerned about it. If you go to Windsor and you go into the Chrysler plant or the Ford plants, or if you go to Hamilton and you go to one of the great steel mills, or if you go to Thunder Bay into one of the great pulp and paper factories, you think about what labour relations mean and you think about what the engine of this economy really is. In our community the leaders of the union movement historically, and today, have always been at the forefront of working with management and working cooperatively to ensure not only that workers get a fair deal, get adequate benefits and good wages, but also that our plant and our economy can be competitive in the larger environment.

Just today I had to miss an event in Windsor, the opening of the new Chrysler research and development facility, the first research and development facility of its type in Canada. I applaud my colleagues in the third party who, when they were in government, actively assisted in forming the partnership between the University of Windsor and Chrysler Corp to help establish the first automotive research and development facility in this country. When that was first proposed and adopted I had the honour to be serving on our local municipal council

at the time, and our council also provided funds and helped make that deal happen.

But I need to say that this wouldn't have happened without the cooperation of the men and women who work at Chrysler and the men and women who are part of the Canadian Auto Workers, a great union with a noble tradition, working together to make the dream of automotive research happen in this country for the first time.

1630

It is a great achievement for this province, it is a great achievement for this country and it is a great achievement for my city, Windsor. It is an example of the kind of progress we can make as a society and as a people if we work together, respect one another and recognize that harmonious labour relations are important to our individual communities and to our greater provincial and national economies.

We remain concerned today, as we were a year ago, as we were seven months ago, that this government's agenda of destabilizing labour relations ultimately will have severe consequences for our economy. The record of days lost to strikes in this province has been going down. The number of collective agreements that are signed without work actions, work stoppages, have been going up. It's only been since this government took office that the number of days lost to strikes has begun to creep up again. I know they don't take that seriously. They believe that what they're doing is in everyone's interests, and while we respectfully disagree, we want to remind them of a time not long ago when this province did not have the harmonious labour relations all of us would have liked.

Since coming to office, the minister has already dealt with the Occupational Health and Safety Act and the Ontario Workplace Health and Safety Agency. The government has appointed a task force that has brought forward recommendations that in our view undermine the government's ability not only to be part of the provision of adequate health and safety but to enforce its own statutes. The minister spoke today about her desire to improve enforcement of the Employment Standards Act, has spoken in the past of her desire to see better enforcement of health and safety and has said that health and safety is a top priority for her. Unfortunately, the actions of the government do not match the minister's rhetoric. We truly regret that, because we think there is an opportunity to make improvements, and we agree that we have to make the best use of limited resources today. Where we differ, where we part company with the government isn't in the direction we go but in how we do that.

The government has also begun to signal its intention with respect to workers' compensation reform which we believe will ultimately reduce compensation for the most poor and vulnerable injured workers in this province while delivering significant assessment savings to employers. While reducing the cost of the WCB is not in and of itself undesirable, it ought not to be done on the backs of those who are least able to afford it. Is it any wonder that so many people are nervous about any changes to labour legislation that this government and this minister propose?

What really is striking about the government's position is that they try to act like none of this is really happen-

ing, "Everybody agrees with this and what we're doing is easy to understand and makes infinite sense," but to see the whole picture you have to look not just at the amendments contained in Bill 49 to the Employment Standards Act; you have to look at the government's Interim Report on Business Planning and Cost Savings Measures, and we even find some small, albeit obtuse, information in the government's business plan document. Let's review those documents for a few moments, along with the government's expenditure estimates for the coming year in the Ministry of Labour, particularly in the employment standards division.

The government in its estimates is proposing to reduce overall operating expenditures significantly in a number of branches of the ministry. They're proposing to reduce approximately \$37 million out of the previous estimates of \$154 million. The ministry is talking about a large cut specifically in the area of labour practices, which is the branch of the ministry that has control over the Employment Standards Act.

When we saw the bill at first we said, "Okay, even if you can accept the minister's argument" — which we don't — "that this bill does not significantly impact on working people and on minimum standards in this province, what in heaven's name is the big rush on these other things?" The minister has failed to point out that the government's real agenda is to save millions upon millions of dollars from the employment practices branch, the employment practices operations of the ministry. I refer you specifically to page 160 of the estimates, where the government is proposing to cut out \$14.2 million from a budget of \$53 million. That's a large percentage reduction, I think 22% or 23% in one year.

While we acknowledge that in this day and age we have to make better use of our resources, again we see the government pursuing a policy that cuts money from those who protect the most vulnerable in our economy. This government, I would submit, has a shameful record in the area of labour relations, and the estimates are beginning to bear out what we said, health and safety operations being reduced \$7.3 million. The minister says, "Well, you know, internal responsibility will take up the slack, and we're going to move some health and safety issues into the Workers' Compensation Board." Historically we've seen the need for an aggressive enforcement of the health and safety act, and the fact remains that the government continues to gut health and safety protection in this province.

The minister has talked about her desire and her commitment to maintain the number of health and safety inspectors we have. Again, the information we glean from other documents tells us, and causes us to be suspicious, that despite her intention, her noble goal, she simply will not be able to do it. I don't think anybody in this House, including my friends opposite, wants to see people exposed to greater risk in the workplace. I think all of us want to ensure that we take a proactive approach to reducing the incidence of accidents and injuries in the workplace, but again, as we explore the government's record to date, the facts don't meet the rhetoric.

The cuts that are contemplated for the ministry overall, the health and safety division, the operations of the health

and safety division, in our view do undermine the government's ability to enforce its own legislation. That's why we get concerned when the minister said today that what she is attempting to do is to provide better enforcement with less resources — again, in and of itself not a bad objective, but the record just indicates to us that she cannot live up to that kind of commitment.

1640

I wanted to review for a moment the government's Interim Report on Business Planning and Cost Savings Measures and look at the government's own numbers in the health and safety area.

Savings in one year: \$7.7 million. That's this year. Next year it's estimated to be \$8.2 million. Dealing with the kind of fiscal situation the government is dealing with, we recognize and acknowledge that tough decisions have to be made. We do not dispute that. But again the rhetoric does not live up to the reality.

Employment Standards Act, here are the numbers: savings, 1996-97, \$1.9 million; 1997-98, \$2.4 million. The government has signalled its intention that it will amend the Employment Standards Act in the short term "to encourage compliance and simplify administration" — the government words, not the opposition's — and "reduce the number of staff required for enforcement."

The minister has put forward a number of so-called operational amendments to the act designed to simplify it. When looked at in a cursory fashion, one could say that. But when you look at it in light of what is said by the government in other documents, in fact what they are doing is reducing the number of people who will be available to enforce the act and undermining the ministry and the government's ability to enforce its statutes.

That's where we part company with the minister. We don't disagree with the notion of looking at options for improving enforcement of the act. The words and the actions simply do not correspond.

As I begin my discussion about the amendments to the act itself, we look at the broader context that these amendments have been brought forward in. Indeed, the government is roughly a quarter of the way through its first mandate. It has been active and has pursued a vigorous agenda in the field of labour relations, an agenda that we simply do not agree with. So when the minister expresses her surprise at the concerns that have been expressed by the opposition — and the opposition, by the way, has been reflecting concerns that are being expressed across the province. Indeed, there's anxiety, I would submit to you, in the business community around the Employment Standards Act. Whenever you start to tamper with the Employment Standards Act, the business community naturally gets nervous.

That's the broader context: a government whose record betrays the minister's rhetoric; a government whose record to date in labour relations has been to undermine the ability of working people to organize and bargain collectively; a government that has systematically reduced its own ability to enforce its own statutes in a meaningful and substantive way; a government whose rhetoric in the area of improved enforcement simply, in our opinion, will not live up to the talk of the minister.

I'd like to turn my attention to and review for a few moments the specific amendments to the legislation itself. The government has proposed a number of amendments to the act which vary in terms of their individual significance but which, taken together and taken in the context of the government's broader labour agenda, represent in our view a significant reduction in workplace protection, most importantly for unorganized, vulnerable workers.

I think it would be fair to submit that the government's views about vulnerable workers are that they can be well protected in a system that sees employers and employees working together, and were that the case, we might even be able to support parts of this bill. But we saw just last week in the United States, and we've heard examples here just recently, that indeed sweatshops still exist, particularly in large urban areas. We know unequivocally that many workers in this province are vulnerable. That is not to suggest that it is the vast majority or that most employers in this province are not good employers, because it's our experience and our view that by far and away the employer community in this province particularly is a good community.

The Employment Standards Act and its regulations have been designed to protect those workers who do not enjoy the kind of protection that many of us do in our lives and in our jobs. Just the volume of cases alone that the branch is dealing with suggests to me and suggests to others that a problem still exists here, and any attempt, like Bill 49, to reduce those protections ultimately will lead to more vulnerable workers and to worsening workplace situations for those people.

We do recognize, as I said a moment ago, that the vast majority of employers in this great province act in good faith and provide their employees with compensation packages that often exceed the minimums contemplated in the act. In regulating workplaces, we are also cognizant that Ontario must not pose undue costs or burdens on employers, particularly in light of globalization and the much freer movement of capital.

The minister spent some time speaking about Ontario's place in the larger global economy, and she was right to do that, because that is what is motivating governments at all levels in terms of their labour practices and policies, in terms of their economic policies. But the real paradox that confronts employment standards policy at this juncture in our history is the paradox that increasing global competition necessitates more competitive labour markets, yet it is this very reality itself that forces us to think long and hard about what our employment standards ought to be. We recognize that these global forces are there, but we also recognize that because of that, we need tough, enforceable employment standards legislation.

It is our view that western developed economies must not play lowest-common-denominator politics in terms of our employment standards. Rather we must rely on productivity growth — growth which, by the way, need not be hampered by government regulation of labour markets — and a greater global desire to improve working conditions in poorer and less developed world markets and economies.

The minister calls most of these changes, indeed all of them, administrative and procedural in nature. The

government has said and argued as best it can that the changes will bring greater simplicity, promptness and effectiveness in the enforcement of the act, more flexibility in the resolution of complaints and greater self-reliance of workplace parties. As I said earlier, taken together, the proposed amendments in fact reduce the province's ability to establish minimum labour standards.

1650

The minister has acknowledged that these amendments are the first round of amendments to the act and that a complete overhaul of the act is expected to be completed in 1997. Indeed we've been told that the government intends a white paper this fall, which will be studied and reviewed. Members of the government will know that over time there have been other studies around aspects of the Employment Standards Act. Indeed we agree with what the minister said, that the Employment Standards Act is in need of a review, the Employment Standards Act is in need of an overhaul. In fact, the minister refers to what we currently call the Employment Standards Act, but members opposite will know that employment standards minimums were originally set in the mid-1930s and were designed to prevent unions from coming into Ontario. So there is a long history, and the minister is right: The act has never had a complete overhaul and does not, in our view, reflect the reality of the modern workplace.

The amendments, as I indicated earlier, have been brought forward to enable the government in the short term to meet its 26.6% reduction in this year of the employment practices operations of the ministry. If what you want to do is close down your ministry, then say so. If you want to lessen your ability to protect vulnerable workers, then say so. Don't try to suggest somehow that, doing this all in one fell swoop in one year, you're going to be able to replace the protections enjoyed by workers now with some loosely defined "most cost-effective" manner.

The government's amendments address the following:

The government suggests they will permit employment standards officers to focus on the resolution of claims, in part by permitting the use of private collection agencies. Again we're not surprised by that. The government has an agenda for privatization; they've been absolutely clear about it. We get nervous about who they privatize to, when they privatize, what the process for privatization will be, and what will be the ability of the private sector to deliver the service in a more cost-effective way than the government. The government's reasoning for doing this is that employment standards officers today do some debt collection, and it's the view of the government, a view we are not unsympathetic to, that employment standards officers ought not to be bill collectors but ought to be employment standards officers.

We will be watching closely not just this but the Minister of Finance, who's also been given responsibility for the privatization initiative. We will be watching very carefully to see how the government conducts itself in these affairs, because privatization is part of a much larger picture, and it makes those employment standards officers over at 400 University — I remember that the former member for Sudbury East, Elie Martel, used to

refer to it as the swamp. Those employment standards officers, and we've talked to them, are nervous. They're nervous because of what's said in the business plan, they're nervous because of what's contained in the business planning and cost-saving measures, and they're nervous because of what they know is in the estimates — just as we are nervous. They're nervous because they recognize, as we do, that Bill 49 represents a reduction of protection for the most vulnerable workers in this great province.

The government is proposing to alter limitation periods and notice provisions for claims by reducing the period for making a claim and for which recovery can be sought; by clarifying limitation periods during which a referee must be appointed, an order must be written or a refusal to issue an order must be made. They're also proposing to alter those periods by extending the period to appeal an order to pay.

The government intends to establish maximum amounts for which an order to pay can be written, with the exception of claims for violations for which reinstatement might be ordered.

The government proposes to permit prescription by regulation of minimum amounts for which an order to pay can be written.

The government proposes to require claimants to elect either a ministry remedy or civil remedy through the courts, with the exception of claims for violations for which reinstatement might be ordered.

The government proposes, where collective agreements are in place — and this is part of the most difficult amendment — to require the use of grievance procedures to arbitrate employment standards claims rather than seek ministry remedies and to allow — and this is where we need to spend a few minutes — parties to negotiate certain standards which exceed the act as a package; that is, we will allow unions and companies, where there's a union shop, to negotiate exceptions to the minimum standards currently established in law and in regulation.

Knowing how my colleagues opposite think, they think: "Well, the union is there to protect them. These unions are strong and they're big, and they will do the work much better than employment standards officers ever could or ever have." But there's a fundamental flaw in that kind of logic. What the government fails to recognize is that those unionized businesses do not operate in a vacuum. In this province in our largest sectors we have pattern bargaining, we establish patterns. If somewhere we establish a pattern that a standard can be exempted, for instance, hours of work, what makes the government think the unorganized shops aren't going to be looking for the same kind of exemption, based on competitive conditions?

The government is cognizant of competitive conditions. The government has spoken well and eloquently on many occasions about the need for us to be competitive. I suggest to the government that you apply that very same logic to labour markets and recognize that if you grant an exception, be it a negotiated exception, you're setting a new lower standard which competitors or people in other industries that may not be organized will want.

You fail to address the issue of duress. You fail to recognize that government has a legitimate role in

establishing law where duress could be used even against a union. As much as I know that many in the government think unions are something bad and they have too much strength, the fact is, no matter how good a union negotiator is or how much success they've had, there are limitations and constraints placed on their ability and duress is used. Duress is used by employers, particularly large multinational employers.

We see in Windsor today great anxiety around the General Motors trim plant. We see the same anxiety in St Catharines, a large multinational. These are organized plants with an effective and strong union with deep roots in our community, and they're nervous. They're fighting and they're going to win this at the bargaining table. But just because there's a union it doesn't mean companies can't impose duress. We collectively ought to recognize that government has and should play a role in preventing the use of duress not only against unorganized and vulnerable workers but against unions.

1700

The government proposes to clarify Employment Standards Act standards, remove what they call superfluous provisions, and correct drafting errors in both English and French.

They propose to ensure access of employment standards officers to electronic records.

I suppose if they had stopped there, we might be able to accept it. We might be able to say: "Yes, Bill 49, go ahead. We recognize and we believe too that we ought to balance our budget." Had you stopped there, had you stopped at saying, "We'll permit the electronic filing of complaints and permit notice to be served by verified delivery, including facsimile," we could have supported that, no problem. This would have been dealt with the first day and you'd be well on your way to saving at least part of the money you're proposing to save in your estimates, in your business plan and in the interim report on business planning and cost-saving measures.

But you know and we know and my colleagues and friends in the third party know that this is more than that, a lot more than that. It's a lot more than that when measured in dollars and cents. It's a lot more when measured in terms of the number of employment standards officers who will be present in this province to help ensure greater protection for vulnerable workers. You know that and we know that, so your actions don't match your rhetoric yet again.

We've had quite a bit of response to Bill 49 to date. I'd like to review what some of those have said and some of the points that have been raised that I think are particularly compelling.

The Employment Standards Work Group released a document May 22. They said this isn't simple housecleaning, that there are very substantial changes. This is a group of experienced practitioners in the field, labour leaders, and they say this bill "will force workers to choose between their jobs or their rights." I agree with them; they're absolutely right. They say this bill is "a gift" — these are their words — "to employers who violate the Employment Standards Act," and again, based on what they've done on minimum provisions and so forth, we agree with them. They say this bill sets the

stage for laying off 45 employment practices branch staff, and we think they're right. The government has said how much they want to save in their document, and they've said how much they want to save in their other documents. I have outlined those numbers; there's no need to go through it again.

They've said it "wipes out the floor of basic workers' rights for both non-union and union workers," and we agree with them. I just suggested to you the logic which the government fails to see and the real inconsistency the government experiences in its own thinking patterns in the whole issue of competition, in the whole issue of competitive markets, because competition is prevalent not only in broader economic markets but in labour markets.

The bill caps the amount a worker can claim against an employer to \$10,000, and then it suggests, "Well, you can seek a civil remedy." But the reality is that those vulnerable workers will not have access to a civil remedy. Because of the cuts you have made to legal aid, they will not necessarily have access to a lawyer.

"The amendments propose to shorten the period a worker can complain and leaves the Ministry of Labour's slow investigation time limits untouched." This group is arguing that there should be improvements to the act, and we agree. Those are the types of improvements that ought to be debated and ought to be discussed right across this province before we make arbitrary changes without consultation and without thought.

"These amendments tell poor and low-income workers to go to court," as I said, when they will not necessarily even have access to money to pay for a lawyer.

I want to review in more detail their concerns. I want to review for a few moments some of their concerns —

Mr David Christopherson (Hamilton Centre): On a point of order, Madam Speaker: I don't believe that there's a quorum present and I do know that everyone should want to pay attention to the honourable member's remarks.

The Acting Speaker (Ms Marilyn Churley): Clerk, is there a quorum present?

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): Speaker, there is a quorum present.

The Acting Speaker: The member for Windsor-Walkerville, please proceed.

Interjections.

The Acting Speaker: Order, please.

Mr Duncan: That's what I love, to be in front of 20 or 30 Conservatives trying to be rational in debate. It's difficult.

One of the facts this group talked about is the limitation period. The fact is that there will be a shorter complaint period for workers, who will still have to wait up to four years for the ministry to collect money owing. That's a real scandal in this province in this time period. It is, in our view, not the right direction to go in.

The act reduces amounts for a worker to claim; it sets minimums and maximums. We think that's the wrong direction to go in. It leaves fewer options for workers. Workers don't need fewer options; they should have more options.

When we talk about changes to the Employment Standards Act and I know when my colleagues in the

third party talk about changes to the Employment Standards Act, we recognize there are things that ought to be improved for workers and we ought not to simply be reducing the options and rights that unorganized workers and organized workers have available to them under the act.

Private collection agencies will now have the right to intervene in employment standards settlements. I come from Windsor, which is across the river from a great American city where we see the consequences of the American, the neo-conservative, agenda. We see it every day. The collection agencies are infamous in Michigan and Texas and elsewhere. They're called bounty hunters in some places. They're infamous for their disregard for the law. That's why I said earlier that we'll be watching carefully how you privatize and who you deal with.

There are many things in this bill that we find offensive, as do other groups. I've just reviewed some of them with you. It is our contention and our view that we ought to be seeing a white paper on the Employment Standards Act. The government is absolutely correct when it argues that the act has not had a systematic and complete overhaul in many years. We support the opportunity for public hearings on those changes that are, in our view, long overdue. Indeed we looked at things like hours of work and mandatory retirement when we were in office. We explored hours-of-work issues, Sunday shopping has been a controversial issue over the years — this act affects all of them.

1710

We say to the government, take out the offensive parts of the bill. There are not a lot of them. Take out that offensive part and we'll give the other things to you just like that. You've said you're going to undertake these consultations in the fall and that you'll bring forward a full piece of legislation by early next year. Put those issues that are controversial into that review and we'll let this one go right away. The reason you're not doing that is contained in your estimates and in your business plans, because you are reducing your ability to enforce the statute substantially: measured in dollars, at least \$16 million; measured in officers, 45, and who knows what the human cost is to those workers who will be less protected? That is what's motivating you.

When the minister says these are housekeeping measures, a lot of them are, and we urge the government to take out the very small part of the bill that is so offensive. We'll be prepared to travel across the province to have hearings on your white paper and ultimately on the changes that you bring forward to the Employment Standards Act. We suggest that you take out the sections that are offensive and we'll let the bill go through. We could probably support what's left. We will be ready for what's coming because we know what's coming. It's going to be the same kind of assault that we saw in the Labour Relations Act; it will be the same kind of assault that we have seen in occupational health and safety; it will be the same kind of assault that we are going to see in workers' compensation next week.

At the end of the day there will be winners and there will be losers, just as there are winners and losers in the revolution, and inevitably the losers will be the poor, the

unorganized, those who are least able to protect themselves. The government will couch their changes in the rhetoric of the right: better efficiency; better use of public dollars. We understand the need for that, but we part company and we will fight you here, we'll fight you in Windsor, we'll fight you in the north when you reduce the protections available for vulnerable, unorganized workers and working people in general.

Take out the offensive part of the act. It's easy. We'll offer amendments to do just that so that we can get the bill through, so that you can begin to make those administrative changes that we agree will help to make the act more efficient. Take your proposals, take them out as part of your white paper and discuss them with employers, with working people and with people across this province. Make them part of the more substantive changes of the act. But we would suggest that you not undermine the protections we have come to know and try to suggest that you're not. It's not correct; it doesn't jibe with the rhetoric and the tone of your own documents.

I conclude in saying that we will support efforts that genuinely improve the enforcement of the act and give workers greater protection. If we can save money in doing so, all the better, but we will not and cannot support changes that undermine the protection we afford our most vulnerable working people in this province, and accordingly our party and caucus must vote against this bill.

The Acting Speaker: Are there questions or comments? I believe the Beaches — I mean, the member for Beaches-Woodbine would like to comment.

Ms Frances Lankin (Beaches-Woodbine): Thank you very much. Yes, I'm from the Beaches and from the riding of Beaches-Woodbine.

I appreciate the opportunity to comment on the remarks of my colleague the member for Windsor-Walkerville. There are a number of issues he raised during his speech on this bill which I wish I had the time to refer to, but in particular his comments about the introduction of the competitive forces as a result of this bill and his suggestion that the government perhaps didn't recognize the nature of the element of duress that will be brought to bear in collective bargaining situations where you no longer have the employment standards provisions as a floor, as an absolute minimum set of standards, where you've introduced this flexibility. I appreciate him raising the point, but I beg to differ. I think the government recognizes full well the element of duress, which is the very reason why this is being introduced.

We see a government that has continued to put pressure on working people, to drive down wages through measures such as the cuts in social assistance rates, the freeze of minimum wage, doing away with pay equity, certainly introducing less sense of job security in the province, and now these changes to the very basic employment standards. To allow for provisions that could go below that drives us in a certain direction.

I will predict — and I hope I'm wrong on this — that when we see the full discussion paper come forward on the changes to the Employment Standards Act this summer, combined with the changes that are in this bill, you will see this province being driven in the direction of right-to-work provisions like the southern US states. We

can see the effect that has had on those economies, the effect on working families — the inability to have a sense of economic security for your future, for your kids — and of course the erosion of the tax base that pays for services like health and education. That's the Common Sense Revolution that's been imported from the States; that's what we see in this legislation as well.

Mr John O'Toole (Durham East): It's a pleasure to respond to the member's statements with regard to Bill 49, the employment standards changes. First of all, they're long overdue. Having worked in a highly organized workplace, a union-organized workplace, it's my understanding that in the workplace there is an existing contract that prevails. The only thing is that there are other regulations, called employment standards, that also prevail. Some of those are in conflict with each other. The suggestion made here is that we can harmonize so that no less than the minimum of the employment standards is achieved by the local contract that prevails in the workplace, avoiding any duplication or misconception and allowing the workforce itself to determine those things that are optimum for their working situation and for the employer, to work out an optimum balance in the workplace and still achieve no less than the minimum of the employment standards.

Certainly in the auto sector, when they're dealing with fluctuation of demand, really what you're trying to do in the 40-hour workweek is achieve some balance so that you aren't overstaffed or understaffed.

I believe it really will create more jobs. It will make this a proper, attractive place to invest and a place that wants to do business in the economy of North America.

Things aren't the same as they were many years ago. You have to recognize that 90% of what we build and make in the manufacturing sector is exported. We're naturally competitive with a global economy, if not just the North American economy. Our main trading partner is the United States. To think we can put our heads in the sand and have standards that don't respect the total economy, the economy you're dealing in, is unrealistic, unachievable and unsustainable. I think there are some real gains for both sides of the equation in these changes.
1720

Mr Baird: I enjoyed the honourable member's speech, as I always do.

Mr Ron Johnson: I enjoyed it.

Mr Baird: Some of my colleagues particularly enjoyed it. The member for Brantford was watching intently and I think learned a great deal, as he always does from the member's speeches.

The member didn't spend a terrific amount of time discussing the cap on what employment standards officers in the act would allow to be captured. It's going to be \$10,000 under these amendments. There's no cap currently. That was changed in 1991 by my colleagues in the third party. It's amazing that when my colleague the member opposite was a senior political official with the Ministry of Labour the cap was \$4,000, with a few alterations. It's very important to note that this government is increasing it by about 250% of what it was just a few short years ago when my colleague was a senior political official. We know from question period today

that assistants to ministers are very senior officials with the members opposite.

Ms Lankin: Correct your statement; you're not increasing it.

Mr Baird: Increasing it from what it was in 1991. I'm the first to acknowledge that you changed it in 1991 in the New Democratic Party government.

I would indicate to the honourable member that we look forward to learning more about his views. We feel very strongly that this bill should go to public hearings in committee. We want committee hearings across the province and we really look forward to working very closely with the honourable member opposite over the next number of months. We look forward to travelling the province and getting broad consultation, which this government is always noted for; look forward to working with my colleagues opposite and members of our party in a harmonious relationship with workers across the province to build a better economy that will create jobs and encourage economic growth and investment.

The Acting Speaker: Further questions or comments? Seeing none, the member for Windsor-Walkerville.

Mr Duncan: I always enjoy my colleagues' responses, especially Mr Baird's. We do look forward to travelling. As much as we enjoy your company, I hope the minister will live up to her commitment and travel as well to places like Windsor and Ottawa and Thunder Bay and London and other great centres of this province to hear what people have to say, because you haven't done that very much. You certainly didn't do it on Bill 7. We forced you into it on Bill 26 and then you didn't even listen to a lot of what the people had to say. We urge you and we gratefully acknowledge your willingness to travel and hear the people on this very important piece of legislation.

We'll look forward to talking about workers' compensation reform all over the province as well, because we'll be there and we'll be talking about it. We'll be talking about it in a different way. We'll be talking about it in a way that will get the system working and protect injured workers and protect the most vulnerable people in this society. We're looking forward to it and we're looking forward to the minister joining us for those hearings because she hasn't spent a lot of time listening to people out there, outside of this place, very much.

The Acting Speaker: Further debate?

Mr Christopherson: I appreciate the opportunity to join in second reading debate on Bill 49. Like everyone, I initially was somewhat concerned when the minister ran into some difficulties in her opening remarks. That can happen to any of us, but I was pleased that it was only a minor throat irritation and nothing more serious.

Recognizing that, I am quite free in saying that I don't blame the minister for choking on this piece of legislation, because she should, not only in terms of its substance, but in terms of the process around it. There are some things that body language will say much better than words, and I think the minister choking on her comments about this bill is quite appropriate and needs to be characterized as such.

I also want to begin my remarks by pointing out that once again we see a government that has no one who can

compare in terms of its ability to find creative Orwellian doublespeak. We've pointed this out time after time. The media point it out in terms of the names they attach to pieces of legislation and initiatives they take, wherein the title of the bill is virtually the opposite of what is contained. This is yet another example of that because Bill 49 is headed up as An Act to improve the Employment Standards Act. Other than a few housekeeping and clarifications that indeed are such, there are tremendous rights and privileges that workers in this province are entitled to that are being taken away.

I want to also point out that it's not just we in the opposition who are making this claim. One should remember that the minister stood in her place and talked about this bill being very innocuous, that it was merely housekeeping, minor in nature. I intend to prove during my time speaking before the Legislature that indeed the opposite is true, that there are significant and major changes to what many people consider to be the only real workers' bill of rights in this province.

The day that the legislation was introduced, Professor Pradeep Kumar of Queen's University in Kingston, Ontario, said, "The new law will dilute working standards across the board in the province of Ontario." He went on further to say, "I think the government is trying to weaken the labour movement in any way it can in the name of getting a level playing field with the United States."

Any suggestion that this is just the opposition's point of view in terms of what this bill is about I don't think stands up to the scrutiny. Look at what the experts are saying in the field, acknowledging indeed that this is an important piece of legislation, one that forced us in the New Democratic caucus to demand that the government either withdraw the bill or provide province-wide public hearings. The Premier and the minister continued in the early days after this bill was introduced to suggest that this was merely housekeeping and clarification and was a minor bill. By the end of the month, we had this government admitting that it was much more than that by virtue of acknowledging that there now will indeed be province-wide public hearings. That, in my opinion, is the government admitting they attempted to mislead the people of Ontario and that this is indeed a bill that has broad, far-reaching changes in this act as it applies to working people in this province.

I want to spend a moment talking about the process, because it's significant, I believe, when we watch how this government operates, particularly when they talk about democracy. They always talk up a great argument in democracy, but in all of their actions to date, from Bill 7 to the omnibus Bill 26 through every other piece of legislation, and now with Bill 49, we see a government firmly entrenched in anti-democratic ways.

What are the facts around the introduction of this bill? The week before it was introduced, the Minister of Labour met with Ontario labour leaders, one of them being Gord Wilson, the president of the Ontario Federation of Labour. The minister said to those labour leaders: "Look, here's what's going to happen. I have two things to tell you. One is that we're going to make major changes to the Employment Standards Act, but we won't be making those changes right away. We're going to

begin a year-long review.” There was discussion about the consultation process and there was an understanding and an agreement on that process — not the substance of what will happen, but the process.

The second message from the minister to those elected labour leaders that day was: “I will be introducing next week,” at a time, by the way, when most of the —

The Acting Speaker: The member from Hamilton Centre, take your seat a moment. The member for Durham East.

Mr O’Toole: On a point of order, Madam Speaker: I’m enjoying the member’s debate, but my point of order is this. Is it appropriate that the official opposition does not have one member in the House?

The Acting Speaker: That is not a point of order. We just require a quorum. Thank you. The member for Hamilton Centre, continue.

Mr Christopherson: Thank you, Madam Speaker. Most of the labour leaders in Ontario indeed were in Vancouver at the week-long convention of the Canadian Labour Congress. They took the minister at her word when she said that this piece of legislation was merely housekeeping, minor in nature, nothing that anybody needs to be concerned about, and that quite frankly it should pass through the House quite quickly, possibly with the support of all the parties but certainly without any major uproar, and that the more significant changes wouldn’t take place until the consultation process was completed.

The labour leaders, being the honourable people they are, took the minister, who’s presumed to be an honourable member, at her word and thought nothing more of it. Then the bill was dropped on the floor. Did it have housekeeping measures and clarifications? Yes. Did it contain major, sweeping changes to fundamental rights that workers have in this province? Yes. Yes, it did, and I believe the proof of that is that this government now is forced into four weeks of committee work: two weeks of province-wide public hearings, one week here in Toronto and another week for clause-by-clause. If it weren’t true that these were substantive changes, there’s no way this government would have caved in the way it did. They did because they knew that the word and the integrity of the minister and indeed the entire government as it relates to their relationship with the labour movement in Ontario was on the line and they had no alternative but to acknowledge that: “Yes, you’ve caught us. There is much more there and we will go through the proper kind of process that one should have.”

1730

Further to that, the minister said a couple of days after the bill was introduced, and I’m quoting from Hansard, May 15 — this is the minister speaking — “I indicated to them,” meaning the labour leaders, “last night when we spoke that, as we had always said we would do, we are quite prepared to take a look at public hearings and we will then determine how those public hearings will be handled.” I interjected and said: “And they said what you offered wasn’t enough. Tell the whole story.” The Minister of Labour responded and said, “I will tell you they were very happy with my response.”

I spoke with Gord Wilson, who had that discussion with the minister, and I can tell you he was anything but

happy with the response. He made it very clear that a few days here in Toronto during the month of June was in no way adequate to meet the needs of proper public consultation in a democratic process with regard to the major changes that are contained here in Bill 49, yet the minister had the audacity to stand in her place and say that those labour leaders were happy with her response.

In fact, I’d like to quote from the news release that the OFL put out: “‘The minister assured us in a meeting last week that her changes would affect only two areas, would be minor and of a housekeeping nature,’ said OFL President Gord Wilson. ‘She said that all other matters would go to consultation beginning in June. She clearly has not kept her word. She has deliberately misled us.’”

That’s the process that got us to the point we’re at today. It’s important for the people of Ontario to understand that just as this government ramrodded legislation through with Bill 7, which didn’t just amend the Ontario Labour Relations Act but replaced the entire document, replaced the entire law — and they did not have one day of public hearings. We watched what they attempted to do with the omnibus Bill 26 when, quite frankly, the opposition had no alternative but to hijack the House in order to force this government to recognize that there are democratic traditions and rights in this province that an elected government, regardless of how big their majority, has no right to run roughshod over.

That’s what we saw as the history of this government in the few short months they’ve been in power, and they tried to pull it again. They tried to steamroller this piece of legislation through. They misrepresented or misled, certainly misinformed, the labour leaders when they met with the Minister of Labour, and they tried to tell the people of Ontario when they first dropped it: “Don’t worry. It’s all just the opposition rhetoric. Really, this is nothing. They’re all upset about nothing again.”

Where are we today? We’ve got four weeks of committee hearings. Two of those weeks are province-wide, across the province, and I assure the government members, every one of you, that you will be hearing loud and clear from the labour movement and from people who represent vulnerable workers and others who understand the kinds of rights that are being taken away in every single community we go into.

Obviously, that’s why you didn’t want to go across the province: You didn’t want to face that. But that’s exactly what’s going to happen, and I assure you, the labour movement will make it very clear that this continuing assault on unions, on the labour movement, on the most vulnerable in our society and on workers’ rights will not go unchallenged. This will be the first opening public volley, because the government did not provide the people of Ontario an opportunity to have their say on Bill 7 and attempted to do the same thing with Bill 26. They’ve finally been called on it, and now we’re going to get a chance to talk about what this government tried to call housekeeping matters and minor changes.

I also want to point out that there’s another ongoing process very much related to this bill and other rights workers have where you’re denying public input: the changes you’re looking at to WCB. You killed the royal commission that was holding province-wide public

hearings, handed it off to a junior minister, and he disappeared with it.

Well, you're going to hear from injured workers on that score too, because this Saturday is Injured Workers Day in the province of Ontario. On Saturday morning at 11 am out in front of this Legislature, injured workers will be coming in front of their home of democracy and they will be showing this government how they feel about the attack on them, the attack on injured, disabled workers where you have not provided them with any opportunity for public input. They'll be here Saturday morning at 11 o'clock out in front of the Legislature, and anybody who's watching now who's an injured worker or knows of injured workers or cares about this issue, I implore you to be here. Join with those other injured workers and send a message to this government. What we've also learned with Bill 49 is that this government can be beaten. They can be shamed and forced and coerced into doing what's the decent, right democratic thing to do. If there are enough injured workers there on Saturday and if there are enough people coming out to these hearings across the province over the summer on Bill 49, I believe we can force you to at least mitigate — I doubt we can derail your overall approach — some of the damage and rights you have been taking away from the people of this province.

When we talk about what's going on in the Ministry of Labour and we look at Bill 49, we ask ourselves, why is this being done and why is it being done now? Why not just wait for all the things contained in here to be a part of the overall year-long consultation? I think that's a fair question. Why bother to do that right away if you're trying to find a process that the labour movement can live with, even though there is no expectation that they're going to agree with the continued slashing and burning and taking away of rights you'll do, but at least the process will be one that people can live with.

Ms Lankin: Why are they doing it?

Mr Christopherson: My colleague the member for Beaches-Woodbine asks that very fair question. The only thing I can see in here is that these changes are what the Minister of Labour needs to take tens of millions of dollars out of the Ministry of Labour. Why are they doing that? Because the Minister of Labour — just like the Minister of Health, the Minister of Community and Social Services, and the Ministry of Environment, whatever is left of that ministry and the protection that used to be there — has a quota to fill in terms of her contribution to pay for the infamous tax cut, that 30% tax cut that's going to see over half of the \$5 billion it costs go to the top 10% of income-earners in the province.

That's what this is all about. And how are you going to do that? Well, the Ministry of Labour is a very labour-intensive ministry. They don't do a lot of transfer payments. A lot of it's made up of ensuring that the rights of workers, the bare minimum standards that exist, are enforced, that workers know what their rights are, know how to follow the procedures that will let their rights be protected, and in many cases assist them with that, particularly those who don't have benefit of a union contract and a grievance procedure and the protection that a union-organized workplace can provide to workers.

1740

If you gut the rights and protections in there, it follows that you won't need as many people to explain those rights because there won't be as many left. You certainly won't need as many people enforcing them, because there's nothing there to enforce. That's where you're going to find the more than \$40 million that you're taking out of the Ministry of Labour. That's what this is all about. There are going to be over 40 people, by our initial calculations, who are directly related to the employment standards practices branch of the ministry that deals with these very issues.

That's what you're going to get called on, as we go across the province and make the case, community by community, that that's what's going on, that's why you're doing this.

And this isn't the end of it. God, we keep waiting for the end of all this devastation. It never seems to come to an end. We have yet to see the Occupational Health and Safety Act amendments. I suppose you'll call that some kind of bloody improvement too. But where do we find you talking about opening up the Occupational Health and Safety Act? Right inside that business plan that shows where you're going to save more money, and you're going to save more money by taking away more workers' rights because then you don't need as many people to enforce rights that don't exist. That day is coming.

We see here today, with employment standards, that occupational health and safety is coming up next. That's why it's so important for people to support the injured workers this Saturday and it's important for all workers and vulnerable people to recognize that the agenda of this government is as anti-worker as we've ever seen in the history of this province — ever, bar none. And you haven't even been there a year yet.

You know what really is devastating? That they'll walk out and be so proud of that fact, so proud of: "Look what we were able to do. He's right. We did all that in less than a year." That's the real rub, because we know what will happen to the most vulnerable in our society as a result of what you're doing.

One of the most important measures contained in Bill 49 is something I've talked about before. I've said: "Watch for this buzzword. It'll appear all over the place." Sure enough, there it is again: "flexible standards." They love "flexible," "streamlined." These are great buzzwords for: "Take away rights and guarantees and protection that workers have. Use these kinds of words." You did the same thing with Bill 20 when you took away the environmental protections that existed in this province.

Now we see flexible standards for what? Key areas. Bear in mind that the Employment Standards Act is most important for workers who don't have unions, because if you don't have a collective agreement, the only thing you've got is the law. There is nothing else. When you take away those rights protected in law, you're taking away the only protection that non-union workers have.

Who are the non-union workers in many cases? Those who are paid the least, those who have the worst working conditions, those who are exploited — not by all employers. We've never suggested that. That's not the

real world. In fact, I don't believe that of the majority of employers. But there are unscrupulous employers who will take advantage and exploit anybody they can in the name of the almighty buck. That's why laws like this were brought in in the first place: a recognition that unfortunately in this imperfect world those kinds of workplaces exist.

Within this charter of rights, this bare minimum standard, the absolute bottom rights that workers have, you're now starting to take them away and water them down. On this issue you are saying — and in this case it's for unionized workplaces. But I want to, and I will in a moment, introduce the fact that I think this could ultimately affect non-union shops, from the minister's own words.

You're now saying that it's okay for unions to negotiate collective agreements that have standards below the bare minimum today entrenched in law that won't be there when you pass Bill 49. We're talking hours of work, public holidays, overtime, vacation pay, severance pay.

For a lot of the larger unions, they can blow off any attempt by employers to try to negotiate rights that are lower than the Employment Standards Act because they've got the strength to do it, they've got the expertise, they've got the money to hire the experts they need to take on the company in an equal fight at the bargaining table. This part of it really won't affect them much. I've heard some say that in some workplaces it might be a benefit. Don't know. But I do know that if one of the major unions in this province says, "Under no condition are we negotiating anything that's below the minimum standards," it's not going to happen, period, full stop. That's it.

What about the unions that are not as strong, smaller unions, isolated unions where maybe their strength is in other provinces in terms of their national membership? As a result of what you've done with Bill 7, you've weakened the ability of those unions to properly withstand the attack that will come at them as it does at the bargaining table all the time. That's what happens there. I've been there many times. That's the nature of the beast. That's what happens. The unions go in there and fight for as much as they can get, but it's meant to be a balanced, fair fight. Hopefully, it's all a verbal fight and takes place over the bargaining table. You get a collective agreement, as you do in over 90% of all negotiations. That's the end of it and you go on with providing jobs and making profits for companies so those jobs are secure.

But under Bill 7 you've made it much more difficult for a lot of unions to get organized and to survive after they've been organized. We saw what happened with the OPSEU strike. That was because you took away successor rights. That was the main issue in that strike. You didn't run on that platform in the election. There's nothing on it in the Common Sense Revolution. It was in Bill 7 where you had no public hearings and you took away those rights that those workers had, that they were entitled to. As a result, we had one of the ugliest, meanest strikes this province has ever seen — blood right out in front of this building.

Interjections: Oh, come on.

Mr Christopherson: You might not like to hear that, but that's what happened. There's now a public inquiry into what happened there. If you hadn't introduced Bill 7, that wouldn't have happened.

Look at what's going on in the lockout at the Jockey Club. There's a lockout that gets uglier every day, and the main reason that's allowed to happen is because you legalized scabs. That's why.

A lot of smaller unions that maybe aren't as strong as the Canadian Auto Workers or the Steelworkers or OPSEU are going to be facing pressures like they've never seen before. If you've got workers out on a picket line for three, four, five months, they're scared, they don't know how they're going to provide for their families, they're fighting for minimum rights, and all they ask is that it be a fair and equal fight. Because of your changes in labour laws, that's not possible.

Before where we may have seen a demand for concessions, a demand for a cutback in pay or a change here and a change there that under any other condition they would never do, because they're in a tough spot they have to give in to get an agreement which you've made much easier for employers with your Bill 7. It's much easier for that to happen now as the result of the ability to negotiate standards that are below the law in those kinds of circumstances.

I predict we're going to see unions signing collective agreements after terrible, horrible things happening on a picket line, with a prolonged period of acrimony and division and — I hope not — possibly violence as these innocent strikers are watching people go in every day and take away their jobs. I don't imagine they're too proud of it either, but they're probably in a predicament as a result of some of the other cuts you've made and they've had to make a personal decision that I may not agree with, but I refuse to believe they're just anti-union workers eager to see a union and other workers decimated. I refuse to believe that.

Now at the end of the day that collective agreement could contain not just concessions, not just a lack of any improvement or increases, but standards that are below Ontario's bill of rights for workers. That's where we are. That's how we see the possibilities under Bill 49. Backbenchers — been there — it sometimes takes them a while to understand everything that's going down, but certainly the minister and the cabinet know the implications, and if they don't, they shouldn't be there; they understand what's going on. That's what's possible with Bill 49.

1750

As we start down that slippery slope of standards below the minimum that has been guaranteed, that is guaranteed today but won't be if you pass this law, then it becomes more and more frequent that we see workplaces that have standards below the minimum. In this government's drive to have a level playing field with the American right-to-work states and Third World nations in terms of wages and health and safety protection, environmental protection, as you see that as the way we're going to compete, we're going to see more and more non-union employers saying: "I may not have a union but I've got a workplace down the road that does similar work to me

and they're not paying any attention to this any more. They managed to beat the union down and get standards below this. Hey, I want a level playing field."

We know what happens when this government hears "level playing field." They prick up their ears, particularly if they're hearing it from the employer's side. They don't listen quite as well when they hear it from any other side; that's the side they like to listen to. That level playing field suddenly becomes the issue that non-union workplaces look to.

Some say, "How can that be?" I'd be the first one to say: "How could that be? How could you possibly have any kind of negotiation if there's no union? What's the method? What's the vehicle? How does it work?" Interestingly enough, on the occasion of introducing Bill 49 the minister was in a scrum just outside the House and Thomas Walkom of the Toronto Star asked: "Is it possible in a non-union shop to bargain away Christmas or overtime or whatever? Is it possible to change the minimum standards?" The Minister of Labour responded, "I guess there would be that opportunity to make those changes." Mr Walkom said: "In a non-union shop? How would you go about doing that?" The minister responded: "Obviously that's something we would need to take a look at. Obviously there is the opportunity to make some changes."

When I was given the transcript of that scrum, two thoughts occurred to me. One was that the minister doesn't know what she's talking about, is just completely off base on this, the pressure of the scrum or lack of full information or lack of understanding, or is totally incompetent. That's one answer. The other answer is that there are those kinds of discussions, that maybe this government likes the idea that there would be an alternative way for the voice of workers as a collective to be recognized that doesn't include that awful thing this government dislikes so much: unions.

I can't imagine that this is the reality but I can't think of any possibilities, when I look at these quotes, other than those two. If we give the Minister of Labour the respect her office entitles her to, if we don't believe that she's incompetent and doesn't understand the basic fundamentals of how the labour movement negotiates collective agreements in the province, we're left wondering: "Is that what's on, is that what's going on in the background? Is that going to be another Bill 49 down the road, with some other kind of Orwellian doublespeak title, but the reality is that it's one more attempt to water down and weaken and dilute, quite frankly destroy, a strong, vibrant, important democratic labour movement in this province?" The questions are asked and there are no satisfactory answers.

The government is also, in this document, talking about a shorter complaint period. The minister gave some smarmy comment today about streamlining things again and probably said something about flexibility. I'm sure that was in there somewhere; it usually is.

But the fact of the matter is that this government is now saying the right that workers have to go back two years from the time they become aware of their rights being violated in the workplace is going to be cut to six months. That means that if you've been shortchanged on

your vacation pay or you've been shortchanged on overtime pay or you're being forced to work longer hours than you should, if there are other rights, particularly in the area of money that you're owed, that you've worked for, if it's more than six months, tough. Not "Go somewhere else" or "Here's a different process" or "We've changed this." Your right, the absolute right that you have — anybody watching right now, you have the right today, under the existing law, to go back two years, because often it takes you a while to become aware of it. Particularly if it's a non-union shop and you don't have union stewards and others enforcing your rights in a collective agreement, it might take you that long.

But one of the things that happens quite frequently is that many of these are the most vulnerable people who are borderline being exploited in the workplace, and quite frankly they're afraid to say anything. In the majority of cases they don't file complaints with the Ministry of Labour until after they've been fired, because at that point they've got nothing to lose. That's the reality, and you have said to those workers: "If it goes beyond six months, tough. You're just out of luck. You don't have those rights."

And yet there's the bill. It says, "An Act to improve the Employment Standards Act." Go tell that to somebody who could lose a year and a half of wages because of a change you made in Bill 49. I defy any government member to go and explain to that worker how their rights in this province have been improved, because my colleagues and I would be quite prepared to show them how that loss of rights was all part of a cost-cutting measure that was made to pay for a tax cut that should never be happening at this time at all. We're prepared to make that case and will make that case in every community that we visit, now that you've been forced into holding democratic, province-wide public hearings.

That's the kind of thing we're going to talk about when we get out across the province on Bill 49, and you can bet that when you finally table your reform of the WCB, that's the kind of thing that injured workers are going to be talking to you about in terms of taking on your argument that you're improving things for the benefit of injured workers, or in this case the bill of rights for workers. The only thing that stands between them and absolute exploitation is being improved.

We're going to take you on, but more importantly, the workers of this province and people who care about workers of this province are going to take you on, and they're going to do it in every community we go to. And at the end of the day, especially those of you in the back benches, you're going to feel a whole lot different about standing behind this bill and the opening of the Occupational Health and Safety Act and the reform of the WCB. You just watch what happens to your attitude as you begin to see truth hit you in the face, because you can't hide from it like you can in here.

I would note the time of the day, Mr Speaker, and suggest an adjournment of the debate.

The Speaker (Hon Allan K. McLean): Thank you. It being almost 6 of the clock, this House stands adjourned until 1:30 of the clock next Monday.

The House adjourned at 1800.

ERRATA

No.	Page	Column	Line	Should read:
78	3140	2	47	19% at the same time that municipalities were increasing
79	3150	2	13	Occupation of Ipperwash Provincial Park by the Stony

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

CONTENTS

Thursday 30 May 1996

PRIVATE MEMBERS' PUBLIC BUSINESS

Labour Union and Employees Association Financial Accountability Act, 1996	
Bill 53, <i>Mr Gilchrist</i> , second reading	
Mr Gilchrist	3179, 3186
Mr Duncan	3180
Mr Martin	3181
Mr Galt	3182
Mr Phillips	3183
Mr Christopherson	3184
Mr Tilson	3185
Mr Young	3186
Mr Silipo	3186
Agreed to	3195
Municipal Amendment Act, 1996,	
Bill 51, <i>Mr Ruprecht</i> , second reading	
Mr Ruprecht	3187, 3194
Ms Churley	3188
Mr Flaherty	3187
Mr Sergio	3190
Mr Martin	3191
Mr Shea	3192
Mr Gerretsen	3193
Negated	3195

MEMBERS' STATEMENTS

Kakabeka Falls	
Mr Gravelle	3195
Italian National Day	
Mr Silipo	3195
Owen Sound Collegiate and Vocational Institute	
Mr Murdoch	3196
Adult education	
Mr Sergio	3196
National gymnastics championships	
Mr Martin	3196
Canada Flag Day Festival	
Mr Doyle	3196
Erin Woodley	
Mr Miclash	3197
Street youth	
Mr Kormos	3197
Amyotrophic lateral sclerosis	
Mr Tilson	3197

STATEMENTS BY THE MINISTRY AND RESPONSES

Municipal government	
Mr Leach	3198
Mr Colle	3199
Mr Gerretsen	3199
Mr Bisson	3199
Mr Wildman	3200
Ontario savings bonds	
Mr Eves	3198
Mr Phillips	3199
Ms Lankin	3200

ORAL QUESTIONS

Ipperwash Provincial Park	
Mrs McLeod	3200, 3204
Mr Runciman	3200, 3201, 3202, 3204, 3205
Mr Phillips	3201
Mr Wildman	3202, 3205
Ms Lankin	3203
Mr Harnick	3203
Drinking and driving	
Mr Baird	3205
Mr Palladini	3205
Obstetrical care	
Mrs Caplan	3206
Mr Wilson	3206, 3207
Ms Lankin	3207
Firearms control	
Mr Tilson	3207
Mr Runciman	3207

MOTIONS

Private members' public business	
Mr David Johnson	3208
Agreed to	3208

PETITIONS

Education financing	
Mrs Caplan	3208
Tax reduction	
Mrs McLeod	3208
Mr Leadston	3209
Mr McGuinty	3210
Lottery tickets	
Mr Kormos	3208
York County Hospital	
Mrs Munro	3208
Rent regulation	
Mr Sergio	3208
Dellcrest Children's Centre	
Mr Ruprecht	3209
Drinking and driving	
Mr Baird	3209
User fees	
Mr Ruprecht	3209
Public services	
Mr Gerretsen	3209

SECOND READINGS

Employment Standards Improvement Act, 1996,	
Bill 49, <i>Mrs Witmer</i>	
Mrs Witmer	3211, 3213, 3217
Mr Baird	3211, 3223
Mr Duncan	3216, 3217, 3224
Ms Lankin	3223
Mr O'Toole	3223
Mr Christopherson	3224
Debate adjourned	3228

THIRD READINGS

Ontario Highway Transport Board and Public Vehicles Amendment Act, 1996, Bill 39, <i>Mr Palladini</i>	
Agreed to	3210

ROYAL ASSENT

The Lieutenant Governor	3217
-----------------------------------	------

OTHER BUSINESS

Visitors	
The Speaker	3197
Opposition Day motions	
The Speaker	3197
Withdrawal of Bill 37	
Mr Wildman	3210
Business of the House	
Mr David Johnson	3210
Errata	3228

TABLE DES MATIÈRES

Jeudi 30 mai 1996

AFFAIRES D'INTÉRÊT

PUBLIC ÉMANANT DES DÉPUTÉS

Loi de 1996 sur la responsabilité financière des syndicats et des associations d'employés,	
projet de loi 53, <i>M. Gilchrist</i>	
Deuxième lecture	
Adoptée	3195
Loi de 1996 modifiant la Loi sur les municipalités,	
projet de loi 51, <i>M. Ruprecht</i>	
Deuxième lecture	
Rejetée	3195

DEUXIÈME LECTURE

Loi de 1996 sur l'amélioration des normes d'emploi,	
projet de loi 49, <i>M^{me} Witmer</i>	
Débat ajourné	3228

TROISIÈME LECTURE

Loi de 1996 modifiant la Loi sur la Commission des transports routiers de l'Ontario et la Loi sur les véhicules de transport en commun,	
projet de loi 39, <i>M. Palladini</i>	
Adoptée	3210

SANCTION ROYALE

Le lieutenant-gouverneur	3217
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Assemblée législative de l'Ontario

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Monday 3 June 1996

Lundi 3 juin 1996



Speaker
Honourable Allan K. McLean

Président
L'honorable Allan K. McLean

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 3 June 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 3 juin 1996

*The House met at 1331.
Prayers.*

INTRODUCTION OF MEMBER FOR YORK SOUTH

The Speaker (Hon Allan K. McLean): I beg to inform the House that the Clerk has received from the chief election officer and laid upon the table a certificate of a by-election in the electoral district of York South.

Clerk of the House (Mr Claude L. DesRosiers):

"Mr Claude L. DesRosiers

"Clerk of the Legislative Assembly

"Room 104, Legislative Building

"Queen's Park

"Toronto, Ontario

"M7A 1A2

"Dear Mr DesRosiers:

"A writ of election dated the 11th day of April 1996 was issued by the Honourable Lieutenant Governor of the province of Ontario, and was addressed to Helen Gamey, returning officer for the electoral district of York South, for the election of a member to represent the said electoral district of York South in the Legislative Assembly of this province in the room of Bob Rae, Esq, who since his election as representative of the said electoral district of York South has resigned his seat. This is to certify that, a poll having been granted and held in York South on the 23rd day of May 1996, Gerard Kennedy has been returned as duly elected as appears by the return of the said writ of election, dated the 31st day of May 1996, which is now lodged of record in my office.

"Warren R. Bailie

"Chief election officer

"Toronto, June 3, 1996."

Mrs Lyn McLeod (Leader of the Opposition): Mr Speaker, I have the honour to present to you and to this House Gerard Kennedy, member-elect for the electoral district of York South, who has taken the oath and signed the roll and who now claims the right to take his seat.

The Speaker: Let the honourable member take his seat.

MEMBERS' STATEMENTS

MUNICIPAL GOVERNMENT

Mr Frank Miclash (Kenora): During the last provincial election, Mike Harris stated that if elected he would "stop imposing southern standards on the north"; this is on page 12 of the Conservatives' document entitled *A Voice for the North*. Obviously, Premier Harris forgot to

share his commitment to northerners with his Minister of Municipal Affairs. Last week, the minister announced his panel to work on the overhaul of, in his words, who does what in the delivery and funding of many government services. The panel, chaired by Toronto's former mayor David Crombie, includes 11 members, 10 of whom reside in southern Ontario and one from the Premier's riding.

If Premier Harris's Minister of Municipal Affairs and, more importantly, northern Ontario's equivalent to Casper the ghost, the Minister of Northern Development, think this is the way to consult with northerners, they're very much mistaken. Northern municipal leaders want to know why they are not being represented on this panel and why the Minister of Northern Development did not insist on a representative from both the northwest and the northeast.

The complex and unique challenges we face in northern Ontario cannot be solved by a southern Ontario panel and a one-size-fits-all government. I'm astounded that the Premier and his Minister of Northern Development would allow any provincial panel to review such an important issue to the north without northern representation.

WOMEN'S MARCH AGAINST POVERTY

Ms Marilyn Churley (Riverdale): Last month in Vancouver and Saint John, women began a march across Canada, a march with a message for our federal and provincial governments. We demand an end to government policies that offload economic problems on to the backs of the most vulnerable women and children in our society.

This Saturday, June 8, at 11 o'clock, the eastern and western caravans marshal in Toronto at Old City Hall and then on to rally at Queen's Park to take our message to the Harris government. I urge as many women and men as possible to attend the rally.

Here in Ontario we've been hit with a double whammy. Not only must we absorb our share of the federal Liberal government's decimation of our social services, such as unemployment insurance or refusal to create a national child care program as promised, but we've had to deal with a stunning array of Harris government policies that disproportionately target women and children, from a whopping cut to social assistance to gutting violence prevention programs and employment equity and pay equity.

The Harris government continues to target women and children to bear the brunt of its cuts so it can give a tax cut to its friends. "For Bread and Roses, For Jobs and Justice" is the theme of this cross-country trek, and never before has there been a more apt time to be demanding all of these.

1340

OPTIMIST CLUBS

Mr Bob Wood (London South): I rise today to recognize the Optimist clubs of Ontario and acknowledge their designation of June 1-8 as Optimist Week in Ontario. The Optimist clubs of Ontario have been serving Ontario communities since 1924 with the founding of the first Canadian club here in Toronto. Optimism has grown rapidly since then, and there are now 350 clubs forming four districts with approximately 14,000 members in Ontario alone.

Optimist clubs consist of civic-minded men and women who have come together to provide service to youth and to their communities. They recognize that they must contribute something to the life of the community from which they and their families enjoy daily benefits. The principles espoused by the Optimist clubs can be a positive lesson for all Ontarians.

I would like to ask all members to congratulate the good men and women of the Optimist clubs of Ontario for the important service they provide and to join with me in recognizing the following individuals seated in the west gallery: Helmut Reinhardt, governor, midwestern district; Angeline Wilson, governor, southwestern district; Raymond McKenna, governor, central district; and Yves Berthiaume, regional international vice-president. Please join with me in applauding the efforts of these people.

ITALIAN NATIONAL DAY

Mr Mario Sergio (Yorkview): Yesterday Italy celebrated its 50th anniversary of the Italian republic. Fifty years ago, the democratic state of Italy was born. "La festa della repubblica," as it is called, marks an extremely important recurrence, as it holds half a century of Italian history, marking the beginning of a new freedom built on a past that had its soil devastated by wars.

Thus Italy and Italians everywhere, in every part of the world, celebrated yesterday with pride the accomplishments of the last 50 years.

The Italian community in Ontario also joined in the celebrations. They celebrated the freedom, the opportunities and the tolerance they have found in their new home.

Italians accepted and enriched those values and built upon that freedom and opportunity. They continue to make their contribution with their hard work, skills and trades, as well as through culture and artistic initiatives.

Equally, Italians are proud of this, our new home, for they and their families have embraced this land and all it holds.

On behalf of the leader of the Liberal Party, our caucus and indeed every member of this House, I would like to extend congratulations to Italy and the Italian community.

Remarks in Italian.

EDUCATION FINANCING

Mr Howard Hampton (Rainy River): The Minister of Education and Training goes from community to

community in this province and says that \$400 million can be taken out of the education budget without affecting the classroom. I want to read part of a letter that's been written to the Minister of Education and Training from hundreds of parents in my constituency.

"We are concerned that the most recently proposed cuts will definitely impact on the classroom. The Fort Frances-Rainy River Board of Education is proposing the dissolution of our behaviour improvement class, removal of all our speech program assistants, twinning and clustering of principals, cutting seven classroom teachers (6% reduction), 10% cut in the elementary budget across the board, elimination of all lunch-hour supervisors, thereby lengthening the school day, as well as busing and supply teacher reductions....

"This board has already surpassed the administration/school costs 40/60 ratio with a ratio of 37% administration to 63% school costs.

"The current grant reductions have augmented adversity... More cuts will directly impact the classroom.

"More education cuts are being anticipated for next year also. We are going from severe crisis to chaos. The cuts to education need to stop."

SENIORS' MONTH

Mrs Helen Johns (Huron): I have the pleasant duty of officially declaring June Seniors' Month in Ontario. The essence of Seniors' Month is to celebrate the contributions our seniors make to enrich our society with their knowledge, their experience, their wisdom and their understanding. Special activities and events geared to seniors will recognize Seniors' Month across the province.

Seniors' Month coincides with the June 1 transfer of the responsibility for seniors' issues from the Ministry of Citizenship, Culture and Recreation to the Ministry of Health.

Our government is committed to the seniors of the province, and some of these commitments include the reinvestment of \$170 million to expand services to seniors and people with disabilities in their homes — 80,000 people across Ontario will benefit from these increased services; the expansion of the program to detect breast cancer for women aged 50 to 69; and restoring out-of-country OHIP coverage.

The list continues. As a matter of fact, the Ministry of Health spent 44.1% of its total budget on services for seniors in 1994-95. People 65 years of age and older number 1.3 million and represent 12% of Ontario's population.

The minister and I plan to meet with representatives of seniors' groups over the coming weeks. We look forward to working with them to ensure that their concerns and solutions continue to be heard.

SACRED HEART SCHOOL

Mrs Sandra Pupatello (Windsor-Sandwich): I'm happy today to speak about the town of LaSalle, a significant town in my riding of Windsor-Sandwich. LaSalle is one of the fastest-growing municipalities in North America, with housing starts up 62%.

The problem is, its success in attracting new families has also forced hundreds of students at Sacred Heart School and other schools into portables. There are currently 11 portables at Sacred Heart in LaSalle. The portables have leaky roofs, no screens and no running water. Temperatures reach 100 degrees on some days and students are sometimes forced to wear their coats in winter. Parent groups have had to resort to purchasing fans for the classroom because teachers cannot open the windows. Imagine 250 students inside the school and 210 students outside in portables.

Today I'd like to ask the minister for special recognition of schools that are suffering from overcrowding and that there be some kind of concession or leeway given to schools like Sacred Heart in the town of LaSalle.

WOMEN'S MARCH AGAINST POVERTY

Mr Tony Martin (Sault Ste Marie): Last week Sault Ste Marie played host to the Canadian national gymnastics championships. This week we are hosting the march of women across Canada in the name of justice, an interesting juxtaposition.

Last week we had young people showcasing the best they can be, representing the best that children of this province have the potential to become, given the opportunity. This week we have women arriving in our community from across this country, joining women from Sault Ste Marie and from across Algoma, to send a message to the government of Canada and to the government of Ontario that it is no longer acceptable that while some young people are proving they are the best in the country and in the world, there are others who go to bed hungry at night, in less than adequate housing, in a country that can afford to do better. Governments have chosen to focus on the debt and deficit, something I don't think any of us will disagree with, but are putting the blame on the wrong sector of our society, taking away from those who can least afford it and giving to those who least need it.

It's an interesting statement that in 1996 we still have people, women in this instance, who pick up and leave their homes and their children to cross Canada and make a statement to this government and to the government of our country about poverty.

OCCUPATIONAL HEALTH AND SAFETY

Mr John R. Baird (Nepean): As parliamentary assistant to the Minister of Labour, I'm pleased to report that today marks the beginning of Occupational Health and Safety Week in Canada. This is a project that Ontario proudly supports.

Over the course of the week, the importance of workplace health and safety will be highlighted at various events and seminars across the country.

Workplace health and safety is a top priority of this government. We're emphasizing accident prevention and education to promote safe, healthy workplaces and communities. We have recently announced training standards for certified members of workplace health and

safety committees that are more flexible and responsive to the needs of the workplace.

Last winter \$415,000 was invested in a new young worker awareness program for high school students.

We're also providing technical support to unique private sector partnerships. A month ago the Safe Communities Foundation was launched in Brockville with the goal of reducing injuries and illness by 50% over two years.

We are maintaining the current number of health and safety inspectors, which clearly demonstrates the commitment of this government in tough fiscal times.

A safe and healthy work environment is not a privilege in Ontario, it's a right, and violations of the Occupational Health and Safety Act will continue to be prosecuted.

As Occupation Health and Safety Week reminds us, we all have roles to play in promoting good health and safety practices. Together we can make this week's ultimate goal of accident-free workplaces a reality.

VISITOR

The Speaker (Hon Allan K. McLean): We have a guest in the east gallery today, the former member for Eglinton, Dianne Poole. Welcome.

1350

STATEMENTS BY THE MINISTRY AND RESPONSES

ENVIRONMENTAL LEGISLATION

Hon Brenda Elliott (Minister of Environment and Energy): The people of Ontario want effective and responsible environmental protection. They also want assurance that positive economic ventures and hard-earned tax dollars are not tied up by costly and inefficient government regulations and programs. This is the underlying principle for everything we do at the Ministry of Environment and Energy, including the comprehensive review of our regulations and approval processes and the business plan announced last week.

Today I would like to inform the honourable members of a series of proposed amendments to Ontario's environmental legislation. These improvements will help us meet our commitment to providing maximum environmental return for the tax dollar. The amendments cover four areas:

(1) The approvals process with regard to certificates of approval. We propose straightforward procedures for activities that have predictable and controllable effects on the environment. The current system requires a specific set of rules and a certificate of approval for each and every project. This is not only unnecessary but costly and time-consuming for everyone involved.

We would establish effective, predictable regulations containing specific rules for certain classes of activities. As a result, an activity carried out under the regulations would not need an individual certificate of approval. The types of activities and the standards to be imposed will be decided through full consultation. For all other activities, the existing approvals process will remain.

This improved approvals process will ensure top-quality protection for the environment at a lower cost to Ontario taxpayers. It will also provide clarity and certainty for industry, municipalities and the small business owner.

(2) The Environmental Compensation Corp. This corporation has averaged compensation payouts of about \$69,000 per year over its 10-year life and has cost the people of Ontario almost \$3 million to run. This is not a responsible use of taxpayers' dollars. We intend to wind down the business of the corporation.

Environmental safeguards are in place; they remain in place. The owners and controllers of spilled material continue to be responsible for cleanup and compensation. That law is clear and unchanged.

(3) Repealing the Ontario Waste Management Corporation Act. This ends the final chapter of a 15-year, \$145-million waste of taxpayers' money in a failed, futile attempt to site a hazardous waste facility.

(4) The recovery of administrative costs. We propose an amendment giving the Ministry of Environment and Energy authority to recover administrative costs for specific services.

The amendments I have just outlined will improve the Ministry of Environment and Energy's ability to meet its responsibility, encourage economic growth and renewal, and deliver better environmental protection at less cost to the people of Ontario.

Mr James J. Bradley (St Catharines): I must say that what I've observed this afternoon is one more step in the minister presiding over the complete demise of the Ministry of Environment of Ontario. You are now having, from under your feet, the resources taken away to do the job the Minister of Environment is supposed to do in this province. You are weakening the regulations. Any legislation you bring in will not be designed to protect the environment but to protect the interests of major developers and the corporate sector in this province.

What you have done is have the government of Ontario take away all the tools you could possibly have to carry out your responsibilities. The best thing you could have done this afternoon was walk into the Premier's office and tell him you would refuse to make this statement.

One example from the statement is the relinquishing of the necessity for a certificate of approval. To contemplate that this government could possibly have these various initiatives undertaken without a specific certificate of approval is almost unbelievable. A certificate of approval allows for public scrutiny and sets specific standards for specific projects. It is absolutely essential to being able to carry out the responsibilities of your ministry.

Your ministry seems to be turning over its regulations to people who are not committed to protecting the environment in this province but simply to shoving aside anybody who has any environmental conscience in this province. What we could hear right now is the applause in the boardrooms of the major polluters in Ontario, who will be quite delighted with exactly what you're doing.

At one time this ministry had a lot of resources to be able to carry out its responsibilities; it had good equipment to be able to do so; it had adequate staff to be able

to do so; and most of all, within the cabinet and within the province, it had the clout to carry out its responsibilities.

I express sympathy for the minister in terms of the fact that the government is taking all those away from you and leaving you with a shell of a ministry. Then what they will do, I tell the minister, is just cast you aside and start anew with someone else, and you will have done the dirty work for the others in the government who did not want the Ministry of Environment to play a significant role in the government of this province.

We have seen hundreds of millions of dollars cut from the budget of the Ministry of Environment, a budget which when you compare it to other ministries has never been a large budget. We will see taking place much less enforcement of the rules and regulations we have in this province.

That will be to the detriment of the people of this province, those who are concerned about the environment. But I say to the minister in the House, the other people who will lament this are the good corporate citizens who have spent the necessary funds, who have trained the staff, who have purchased the appropriate equipment, and who have an environmental conscience. Those people count upon government to fairly and strongly enforce the laws within the province, and they're the people who will lament this as well as the people who are concerned about the environment, which I contend is the vast majority of people in this province and people of all political affiliations.

You have reduced environmental research in this province. You have eliminated various structures which ensure that the environment is protected. Your colleague the Minister of Municipal Affairs and Housing presided over changes to the Planning Act which again developers in this province will applaud but which, I assure you, in the long run will not result in good planning decisions made.

I suspect the next thing that will happen is that the Niagara Escarpment Commission will disappear somehow, with its role and responsibility given over to individual municipalities, which of course have a vested interest in the development as opposed to preservation. You've already diminished the role of the Niagara Escarpment Commission by taking away the staff they have had to carry out the responsibilities. You have broken faith as a government with the member for Carleton, my friend the Minister of Consumer and Commercial Relations, who worked so hard to develop the Niagara Escarpment Commission and the very important role it played.

What you are doing today is that you announce very little, but what's not in this announcement is as important as what is contained in it. You are totally weakening any efforts that have been made in this province over the years to protect the environment on behalf of the present generation and generations to come.

Ms Marilyn Churley (Riverdale): We are disappointed that the minister didn't make an announcement on new action to protect our air and our health. With yesterday's high pollution levels, we expected the minis-

ter to announce that she may be bringing in a mandatory vehicle emission testing program.

Instead we learn that the minister is bringing forward new legislation to deregulate environmental protection. This is another example of this government doing less. For instance, you have repealed the OWMC Act, but where are your plans to deal with hazardous waste? You have none.

This legislation, titled the Environmental Approvals Improvement Act, is a farce. It is about more deregulation. It is about shutting the public out of decision-making.

The amendments being brought forward and the permit-by-rule concept simply do not take into account the local impact of the new approvals that will be given. Instead of bringing in a smog action plan during Clean Air Month, the minister introduces legislation that could very well lead to more air pollution and more smog. Under the permit-by-rule system being proposed, as long as you meet the guidelines in the rule cookbook, you can pollute. No consideration is given to local impact, and because of this system the local environment could get much worse.

Also, public participation in environmental decision-making, guaranteed under the Environmental Bill of Rights, will be diminished. People will have less of an opportunity to comment on new proposals that could contaminate local air quality. Instead of bringing in legislation to include people in environmental decision-making, this legislation will help to exclude them.

1400

This is not an improvement to the approvals system; this is just the beginning of getting out of the business of approvals. This legislation is being brought forward to deal with the massive cuts that are being made to the Ministry of Environment and Energy. One third of the workforce is being laid off.

This legislation doesn't address the real issues about reforming the process. I agree that reforms to the approval process are needed, but this legislation doesn't even achieve them. For instance, a new company with a new technology is still required to get a site-specific permit, but it is also required to prove its technology time and time again. If you want to improve the approvals system, why not use a technology approval so that new technologies don't have to spend the money every time they seek to set up an operation? We agree on the need for site-specific permits, but why does a company need to prove its technology time and time again?

If this had been real approval reform, the legislation would have dealt with this issue. Instead, this is simply a communications effort, trying to hide the fact that this government is deregulating environmental protection and is simply doing less.

Your government has systematically dismantled environmental protection in Ontario over the last year. You have, for example: refused the local option to protect local air quality; withdrawn Ontario's ban on the construction of new garbage incinerators; killed the successful green communities program; terminated funding for the popular blue box program; slashed funding to the Niagara Escarpment Commission; eliminated funding for

municipal household hazardous waste programs; killed the CURB — clean up rural beaches — program; weakened numerous clean water regulations under the MISA program; begun dismantling Ontario's Environmental Bill of Rights; dismantled Ontario's environmental safeguards under the Planning Act; killed the Ontario Waste Management Corp and the province's hazardous waste reduction strategy; eliminated grants for environmental research — the list goes on and on. I'm only halfway through.

Minister, you and your government are a hazard to the people's health in Ontario. It is time for you to stand up for environmental protection instead of dismantling the environmental safeguards that have been put in place for decades in the province of Ontario. We know that no one else in your government will stand up to protect the environment and human health, but the least we can do is expect that from the Minister of the Environment.

I say to the Premier who is sitting here today that replacing the present minister with another person who can do your dismantling for you and communicate it better will not work. The people of Ontario are on to you, and this is yet again another example of the dismantling of environmental protection in Ontario.

The Speaker (Hon Allan K. McLean): The member's time has expired.

ORAL QUESTIONS

MINISTER OF EDUCATION AND TRAINING

Mrs Lyn McLeod (Leader of the Opposition): My first question is for the Premier. I have here a copy of the Ministry of Transportation's record of driving and safety violations that have been piled up by Jarsno Equipment Inc from May 30, 1991, until August 31, 1995. The record shows that Jarsno recorded more than 161 convictions or accidents throughout Ontario during that time period.

As you will well know, during the period of time that Jarsno was piling up this appalling record of driving and safety violations, that company was owned and operated by none other than your now Minister of Education and Training, John Snobelen. Premier, I ask why you could appoint someone to your cabinet whom you knew was running a company that routinely broke the laws of this province.

Hon Michael D. Harris (Premier): When I appointed Mr Snobelen to head up the Ministry of Education, I appointed one of the most capable, brightest people, concerned about young people in this province, concerned about education in this province, quite understanding of the kind of change that needed to be brought from the disaster of the last 10 years. Quite frankly, I did not go back over and read any records of something totally unrelated to that role or of something that, if you're imputing a motive in there, may or may not be true. Given your record, it probably isn't.

Mrs McLeod: I have a transcript of the record, the records of the Ministry of Transportation. This is the disgraceful record of the safety violations that were piled

up by Jarsno during the time period I have just described. These records are readily available, Premier. They would surely be part of any routine check you were doing, particularly as you were appointing somebody to your cabinet who had been running a trucking company.

Premier, it's absolutely clear from this record — and this is just five years; we could not get records from before that period — that the Minister of Education ran this company with what can only be described as an absolutely cavalier disregard for the laws of this province. The violations that are listed here include speeding and safety violations that endanger motorists, and excess weight offences that are creating equally dangerous potholes on our highways.

Premier, this really is all about the standards you set when you appoint people to your cabinet. So I ask you again, how could you appoint someone to your cabinet who was running a company with such a shocking safety record?

Hon Mr Harris: I have explained to you why I appointed the honourable member to the cabinet, and would stand by that and believe that was a most appropriate decision. I can't comment on any record. It's an arm's-length process from the government of the day, so I have no way of knowing whether that's the best record in the whole province of any trucking company, the worst record, an in-between record. I have no way of knowing whether Mr Snobelen was involved in any of those. Quite frankly, it's irrelevant as far as I'm concerned.

Mrs McLeod: I find that quite amazing, that the standards of conduct by someone whom you are about to appoint to your cabinet are irrelevant. The charges are certainly done at arm's length, Premier, but as I indicated, this is a public record; this is information that is readily available and would have been readily available to you on a quick check. Since you appear not to be aware, I will send this particular copy of the record if the page will take it over, because I want you to see the kinds of convictions that have been registered against Jarsno Equipment.

According to just this abstract, Jarsno was involved in some 28 accidents, had trucks detained on 26 occasions for equipment problems, and was convicted of 107 other violations. Just about every month for the past couple of years, Jarsno has been convicted of operating overweight vehicles, a practice that makes these trucks, as you know, a lot more dangerous to other motorists as well as causing damage to the highways. There are violations there for speeding; there are violations for using defective and improper tires; there are violations that occurred throughout the province, from Windsor to London to Halton region, Newmarket, Kitchener, Woodstock, Hamilton, Oshawa, St Catharines, Niagara Falls, Brampton, Metropolitan Toronto. You know that last week your Minister of Transportation — he will remember — announced that he was cracking down against truckers who committed these types of violations. But I think, having appointed someone to your cabinet who had such a shocking record of violations, you are operating by the motto of, "Do as I say, not as I do."

Premier, I ask if you do not see a double standard here, and ironically that the standard you set for the

public is higher than the standard you set for a member of your cabinet.

Hon Mr Harris: No, I don't see a double standard. What I see is an opposition party so bereft of any ideas — I am assuming that everything that I have appointed the minister for and he is responsible for, he is doing a 100% job and there is no criticism of that or of me or of the government or of any other minister, and you're quite happy with everything else — that now you feel compelled to delve into somebody's background under a former government that has absolutely nothing to do with his portfolio. It has absolutely nothing that I can see to do with any policies the government is taking. So that's what I see: an opposition party leaderless, desperately in need of moving up the leadership convention.

1410

The Speaker (Hon Allan K. McLean): New question.

Mrs McLeod: What I see is a Premier so unconcerned about standards of conduct for ministers he appoints to his cabinet that he doesn't even do the most basic check on their records of conduct in their private lives.

The Speaker: Who is your question to?

ONTARIO HYDRO

Mrs Lyn McLeod (Leader of the Opposition): I will pose a second question to the Minister of Environment and Energy because I am anxious to raise again an issue which we have raised in the past and on which we have received only evasive answers from this minister, and now this weekend we have a report that Ontario Hydro is justifying the suppression of a safety review of Ontario's nuclear plants on the basis that the release of this report could somehow affect negotiations with private investors.

This is a statement of the freedom of information and privacy commissioner: Ontario Hydro has described to him "current negotiations with potential private sector partners regarding one of its nuclear plants, and submits that unduly critical public releases could reasonably be expected to raise concerns with these potential partners" — hardly a reason to suppress information about the safety record of nuclear plants from the public, Minister, but it does make it pretty clear that you are planning to privatize at least part of Ontario's nuclear energy system.

Minister, I call on you today once again to provide this House with details of what you're planning to sell off. Are you planning to sell Bruce? Are you planning to sell Pickering? Are you going to sell Darlington? All of them or none of them?

Hon Brenda Elliott (Minister of Environment and Energy): There are no plans at this point to sell any part of Ontario Hydro.

Mrs McLeod: Ontario Hydro has said to the privacy commissioner, in justifying the withholding of the peer review on the safety of nuclear plants, that it is in negotiation with potential private sector partners. It is Hydro's submission — not rumour, not speculation, Minister; it is Hydro's submission — that it is involved in "ongoing international negotiations" for a "multimillion-dollar contract," and they don't want to release the report because they don't want those negotiations to be

put at risk. Those are Hydro's claims. Those are their statements, Minister. Clearly, whether you know it or not, they have started the business of selling off Ontario Hydro's assets.

I think perhaps you need to remind them that you have an independent commission that is supposed to be doing an independent report on the future of Hydro. I think you need to tell them that it just might be appropriate to wait for the recommendations of that commission before they start their negotiations.

You are Minister of Energy. Were you aware that Hydro had already marched ahead and started its negotiations for privatization before the Macdonald report was ever tabled? Do you approve of Hydro's entering into these negotiations at this time, and can you tell us what the point is of having an independent commission to make recommendations to you when Hydro is already engaged in negotiating the selloff of its assets?

Hon Mrs Elliott: Again I say that any decisions made about the future of Ontario Hydro or any changes to that organization at all will be made by this government as we see fit.

Mrs McLeod: Mr Speaker, I wonder when the minister — I'm trying to find words that you will consider parliamentary — is going to be forthcoming with the people of this province about what they fully intend to do with Ontario Hydro and the privatization of Ontario Hydro. Minister, you can't pretend, surely, that you're being kept totally ignorant even of the reports that we are now reading in the press of what the privacy commissioner has been told by Ontario Hydro. We want to know — the public has a right to know — what your intentions are.

As the chairman of Hydro says, he is talking about privatization and intends to proceed with privatization as Hydro enters into negotiations with international potential partners for multimillion-dollar deals. Minister, we need to know whether or not Ontario Hydro has already decided what parts of Ontario Hydro it is going to sell off and we need to know if the Macdonald commission, that independent commission that has been appointed, makes a recommendation that goes against what Ontario Hydro is planning to do, whether you are going to accept those recommendations.

You know that any decision to sell off parts of Hydro has enormous and long-lasting impact on the future of this province. You simply can't stand back and let Ontario Hydro forge ahead and do whatever it wants to do. Will you at least assure us today that you will order Ontario Hydro to cease any negotiations it is having until such time as your independent commission report is public and your government's response to it is made public?

Hon Mrs Elliott: Once our government came into power we determined that there was a concern about the rise of Ontario hydro rates. One of the first things we did was to put a zero-average rate freeze to encourage stability for rates in this province. The Macdonald commission is seeking advice and concerns from people across this province about what next steps to take. Once that advice is delivered to the government and we decide to go forward, we will thoughtfully and carefully consider what is best for the people of Ontario. We will consider

the rates, we will consider the affordability, we will consider the reliability and we will consider the safety of the electrical interests of the people of this province.

NATIONAL UNITY

Mr Bud Wildman (Algoma): My question is to the Premier. I am disappointed that the Premier, the first day the House sits after his return from Quebec City, where he encouraged the Premier of Quebec to attend the first ministers' conference at the end of this month, didn't find it useful to make a statement to the House on the discussions he had with the Premier and the government of Quebec.

Considering that the Premier of Quebec and the government of Quebec's main aim is to break up this country, could the Premier of the largest province in the country please make clear what he said to the Premier, what was discussed with the Premier of Quebec and what he expects will be the nature of the discussions in Ottawa with the other first ministers, as a result of his discussions with Monsieur Bouchard?

Hon Michael D. Harris (Premier): Some of the discussions involved things around: "How are your kids? How's your family? How have you enjoying being Premier for such a short period of time?" In other words, it was kind of getting to know each other and getting to know a little bit about one another. I would say that was actually perhaps the most significant part of the meeting, the first introductory meeting — very important, I believe, for the premiers of the two largest provinces to get to know one another.

Mr Bruce Crozier (Essex South): Then you were wasting taxpayers' dollars, Premier. You should have discussed something substantial. It's an important issue.

The Speaker (Hon Allan K. McLean): The member for Essex South.

Hon Mr Harris: I see the Liberals think that's wasting taxpayers' dollars, to get to know fellow premiers and what not. I happen to believe that has been a very effective role played by David Peterson, by Bob Rae and, previous to that, by Bill Davis and by John Robarts, and I think that is an important role. I understand the Liberals don't agree with that, but I'm sure the leader of the New Democratic Party would agree with me.

The second part of the agenda dealt with those areas we felt were of mutual interest to unemployed Quebec workers and unemployed Ontario workers: jobs, policies we could take and what we could do together to improve that. We had very good discussions, I might add, in this area on freer trade between the provinces, removing some of the barriers that exist already in the existing agreement that was signed by your party, particularly with the leadership of former Premier Rae and the former Minister of Industry, Trade and Technology, currently vying for higher office within the party, the member for Beaches-Woodbine.

We agreed that it was going to require initiative at the level of the Office of the Premier in Quebec and here to ensure that that agreement that was signed is enforceable and works better and —

The Speaker: Order. Supplementary.

Mr Wildman: While I appreciate that it is important for the premiers of the two largest provinces in Canada to begin a dialogue and get to know each other and to learn about each other's concerns and the concerns of their respective provinces, I am concerned that the Premier was quoted in the press, I believe coming out of the scrum he and his colleague from Quebec had at the National Assembly, stating in answer to a question about Ontario's view of the possibility of a unilateral declaration of sovereignty by Quebec something to the effect that the Premier of Ontario hasn't discussed that and hadn't thought about it.

Is it the case that as Premier of the largest province in this country, you haven't thought about either the efficacy, the legality, the constitutionality or the possibilities and effects that such an action, if contemplated by Quebec, might have for the country?

1420

Hon Mr Harris: Certainly we've thought about it and thought about the effects, but we have not spent an inordinate amount of time looking at the legality. The meeting I was responding to questions about was between Mr Bouchard and myself. It all flowed out of, "Did you talk about national unity, about separation, about the Constitution?" I said, "No, we did not," and Mr Bouchard said, "No, we did not." Mr Bouchard did not wish to discuss those items and I couldn't see discussing them all by myself.

Mr Wildman: Does that mean that the Premier raised these issues with the Premier of Quebec and the Premier of Quebec indicated he didn't wish to discuss them? If the Premier of Ontario did indeed raise these with the Premier of Quebec, what was the intention, what is the view of this government with regard to the federal government's position vis-à-vis that possibility and the Quebec government's apparent view that it is within the realm of possibility?

Hon Mr Harris: It was very clear from discussions with officials before I went to Quebec City that Mr Bouchard did not wish to discuss the Constitution so I clearly did not go there to discuss it. We had agreed that we would discuss those areas that we felt were of benefit to Ontario and Quebec — workers, jobs, those who are unemployed, those who were on welfare — and if there were mutual areas we could discuss and agree upon, we both agreed, officials to officials and then ultimately I with Mr Bouchard, that this would be a productive meeting.

We, in the scrum afterwards, agreed quite publicly to say we fundamentally disagree on separation of Quebec. I am a federalist. At one point Mr Bouchard said, "I don't hold it against Mr Harris that he is a federalist and I am not." That does not preclude the fact that he is Premier of the province of Quebec, will be for a considerable period of time and there are areas that are beneficial to Ontarians that we can discuss and work on, so we did so.

With regard to the federal position, it depends on which day I hear them talking about it.

OBSTETRICAL CARE

Ms Shelley Martel (Sudbury East): I have a question for the Minister of Health. This weekend Sudbury joined the growing list of communities that will no longer have obstetricians providing care to new patients. All of the eight obstetricians who provide care announced this weekend that they will no longer be taking any new patients as of June 1. On average in my community there are 180 deliveries per month, so the consequences of that action are very dramatic. My constituency office has received a number of calls from women who are terrified that they will not be able to receive the care they need when they need it. This is a crisis in the province. What action are you taking now to guarantee that women will have access to care when they need it?

Hon Jim Wilson (Minister of Health): I thank the honourable member for the question and indicate, as I did last week in this House, that the government has made an offer to the obstetricians. We made that offer last week. It was a very generous offer responding to their concerns, particularly on the malpractice insurance side, on which we're waiting for Justice Dubin to make his report for a final resolution of that matter, a matter that's long overdue in this province and should have been tackled by previous governments, including the government of which the honourable member was a member. Also, at noon today we had a meeting with the OMA. We're trying very hard to try and come up with some solutions to this problem.

Ms Martel: I'm glad there have been some negotiations and I'm pleased there's the review, but you should have looked at this issue and the impact it was going to have before you announced the review and took the action you did. The fact of the matter is that in my community, at the end of last week, family physicians who are providing care to pregnant women got a letter from all of the obstetricians and all of the family physicians who are providing obstetrical services or who are delivering babies. The letter said clearly that there would be no new patients taken on as of June 1 and suggested that people would have to refer pregnant women somewhere else. The letter went on to say that women perhaps could be referred to Timmins, Toronto or the United States for obstetrical care when they need it.

This is an unacceptable situation. It's unacceptable for women who need care in our community and it's unacceptable for family physicians who are trying to respond to a flood of calls now from their women patients who are terribly concerned about what's going to happen to them after their seventh month of pregnancy. Minister, what concrete action are you taking that you can tell to this House today about what we're going to do to resolve this situation?

Hon Mr Wilson: I can assure the women and children of this province that the ministry takes the responsibility to deliver health care services very seriously and contingency plans are being developed should services be withdrawn. But members should know that we are trying to live within the \$3.805-billion budget set by the previous government for physician services. There are 35 specialty groups in the province and the game plan

appears to be that each one of them, one at a time now, will start to threaten to withdraw services to try and blackmail the government into more money.

We don't have the \$500 million more that the highest-paid profession in Canada and Ontario wants, so we're working with the Ontario Medical Association to fix problems that neither of these parties did anything about in the last 10 years, a completely broken system with respect to physician payments. They allowed the number of physicians to exceed the growth in population. You didn't bank on the money. You started this crazy clawback system which nobody likes. We're working with physicians to try and find —

Interjections.

The Speaker (Hon Allan K. McLean): Order. I'm having a hard time hearing, but I think it's time for the final supplementary.

Ms Martel: Minister, when you were over here you had all the answers to all of the health care problems. You're in the government now, and women in my community have been told that obstetrical care will be withdrawn as of June 1. That's what they're facing in my community; that's what they're facing in Windsor and other communities right around this province. It's not acceptable to be told that females who are pregnant can go and access care in Timmins, in Toronto or in the United States.

I want to know from you today, what are you doing as the Minister of Health, who had all the answers when you were over here, to deal with this very serious and very difficult problem?

Hon Mr Wilson: So that we don't have complete panic as a result of the honourable member's —

Mr Floyd Laughren (Nickel Belt): You created the problem.

Hon Mr Wilson: I didn't create the problem. That is a complete falsehood on behalf of your government. The issues that we're talking about —

Interjections.

The Speaker: Order. Minister, go ahead.

Hon Mr Wilson: Sorry, Mr Speaker. The issues we're talking about were issues that have been on the table for a number of years in many cases. I can tell the women of Sudbury and Windsor and so on that it is against the law to not provide services, and therefore services will be provided in this province. The physicians themselves know that. Our emergency rooms are open, our ambulances are on alert; 80 more midwives are graduating this year who will be available and general practitioners are still delivering babies. I remind you that we offered that particular group of obstetricians more money last week, including paying their entire insurance premiums, and they declined that offer.

1430

RENT REGULATION

Mr Gerard Kennedy (York South): My question is for the Premier. The Premier earlier this week asked me to take it easy on him and I'm very happy to do that today.

My question is simply about the statements that have been made with regard to rent control, and as a new

member I have been given some notes: "Rent control has to go," Mike Harris on October 19, and "Rent control will continue." Which of these statements does the Premier acknowledge? In the Mike Harris plan announced, it promised to lower rents. When will this plan take place and how will the Premier be lowering rents for tenants across Ontario?

Hon Michael D. Harris (Premier): What we have consistently said is that the failed rent control policy, particularly of the Liberal Party in Ontario and, to a lesser extent but still failed, that under the New Democratic Party, has to go.

By the same token, we have indicated that the existing policy is the NDP policy, and given that it is better than the failed Liberal policy, which was a huge disaster, we would definitely not go back to that, but we would leave it in place until we can seek better rent control, something that is better for tenants, providing better apartments, better price, better options, better maintenance. The minister, you see, has been working and consulting very carefully as to how we can do that.

The commitment is to bring in something better for tenants, scrap the failed policies of the last 10 years, and we are committed to do this.

Mr Kennedy: The promise made by the Premier in the election campaign of York South was to lower rent. It is this government that has cut welfare by 20% and affected 35% of renters. It is this government that has made it so much more insecure for people holding jobs that they're fearful from this government's actions on what's going to happen to their rent. It is incumbent upon the Premier to tell people today: When will their rents be lowered, when will the Mike Harris tenant protection plan come into play, and when will the fear brought on by this government be reduced?

Hon Mr Harris: I would suggest to you that tenants have absolutely nothing to fear from this government, this Premier or this minister. If there are fears out there — and they are fears — those fears have been brought out, quite irresponsibly I might add, by members mostly of your party. I would suggest to you that tomorrow morning you will have your first opportunity in that caucus to comment on how irresponsible your party has been in raising these fears.

I want to assure you that you might want to ask tomorrow, for example, why did your party vote against the NDP plan if now you think this NDP plan is so good that you think we shouldn't change it? This would be a very good question for the member to ask.

I wish to conclude with a little bit of advice, but mostly I want to conclude, quite humbly, by congratulating the honourable member on his successful election, I want to congratulate the member on his first day in the Legislature, and I want to wish him success and to try to bring some coherence and some common sense to that caucus that hitherto has lacked it.

VEHICLE EMISSION TESTING

Ms Marilyn Churley (Riverdale): I have a question for the Minister of Environment and Energy. Your own ministry states that when the air quality index goes above

32, air quality is unsatisfactory. Yesterday, the air quality index for Toronto was 36. It was 42 in Etobicoke, 39 in Scarborough, 39 in Oakville and 37 in the city of York. Today, Pollution Probe released a new study attributing 380 deaths a year to polluted air in the Metro area.

June is clean air month. The people of Ontario expect you and your government to take action to protect our air. Why don't you and your government commit to a mandatory vehicle testing and emission program?

Hon Brenda Elliott (Minister of Environment and Energy): Thank you for the question opposite. We quite acknowledge that air is a difficult problem to solve in this province. The reasons for polluted air in this province are complex, but it's not just a "made in Ontario" problem, and the solutions to find that will be difficult. The solutions that we are working to right now, the member opposite will know that we have committed to continuing the emission testing program that her government started as a pilot project to determine if this is in fact the way to clean up the air in the province.

Ms Churley: I don't quite understand what the minister meant by "air is a difficult problem to solve." I could say something about air, but I'll pass for the moment. There are airheads and hot air, and I could go on.

Tomorrow, Metro council will be hosting a clean air summit. Metro Councillor Joan King has pointed out that emission testing could be conducted by the private sector without costing the province a dime. Thirty-eight US states have mandatory vehicle emission testing. Vancouver has operated a mandatory testing program for four years. We hear that Quebec is now looking. I don't know if the Premier discussed that with the Premier of Quebec, but they're thinking of introducing a mandatory program for Montreal.

Yet despite all the health warnings we have no announcement from you, Minister, to establish a mandatory testing program to protect our air and health. Instead, we keep on getting platitudes about working with stakeholders and other environment ministers and the federal government. You cannot fall back on the activities of the CCME. These are federal initiatives.

The people of Ontario want you to act to protect their health, Minister. For the sake of those who die and become very ill every year from bad air, will you commit, and I ask you again, today to a mandatory vehicle emission testing program for the Windsor to Ottawa corridor?

Hon Mrs Elliott: Just as a point of interest, it might be useful for my colleague across the way to note that at the Canadian Council of Ministers of the Environment meeting on Friday, for the first time in many years Quebec was at the table. The Minister of Environment for Quebec in fact signed on to a very important harmonization initiative that we've been working towards for a very long time, and this is good news for environmental regulation across the country.

I say to my colleague across the way, if solving the air problems of the province is such an easy task, why in the five years the former government had the government did it not solve the problem?

YOUNG OFFENDERS

Mr Jim Brown (Scarborough West): My question is for the Attorney General. Two weeks ago in my riding, a 15-year-old youth was repeatedly stabbed in the throat in front of some of his friends in broad daylight. He staggered up the street while his assailant followed him taunting his dying body. The youth's blood drenched the sidewalk. He died. The alleged assailant, a 17-year-old, finished taunting the now lifeless body and calmly walked away to catch a bus.

A year ago, Louie Amba was brutally murdered, allegedly by a 17-year-old youth. Louie died of 54 stab wounds. Louie's brother, Tom Amba, is with us today in the members' gallery. Tom Amba's kid brother campaign gathered at least 500,000 signatures on a petition to change the Young Offenders Act. What do I tell my constituents, Minister, and what can I tell Mr Amba, who are clamouring for changes to the Young Offenders Act to make it more of a deterrent?

Hon Charles Harnick (Attorney General, minister responsible for native affairs): I thank the member for Scarborough West for the question. The Young Offenders Act is currently ill-suited to act as a deterrent and thus keep communities safe. Our province has the highest percentage of Canada's youth court cases. In 1993-94, federal statistics show we had 47% of the country's total for violent youth offences. That's 11,000 out of 23,374 cases.

This morning, the Solicitor General and I addressed the federal committee reviewing the Young Offenders Act. Our objective was to point out to them that we needed a system that was going to have built into it deterrents to keep communities safe, and our first recommendation was that young offenders be redefined as people 15 years or under. Until the passing of the Young Offenders Act in 1984, the maximum age for young offenders in Ontario was 15 years old, and since that change in the Young Offenders Act, raising the age, there has been a significant, almost a tremendous increase in offences by 16-year-old and 17-year-old youths quite simply because the Young Offenders Act no longer contains any element of deterrence.

We are urging the federal government to make that change as one of the most significant changes it could implement to keep communities safe and to respond to the needs of victims in the province of Ontario.

1440

Mr Jim Brown: People are also clamouring for increased accountability for those youths who commit crimes. Minister, what else can be done to ensure that those who, despite increased deterrence, choose to commit crimes are held more accountable for their actions?

Hon Mr Harnick: The public demands accountability from young offenders for their actions and also from the parents of young offenders. We need to make changes so that legal aid is not given to young offenders whose parents can afford to retain a lawyer privately. In the fiscal year ending March 31, 1996, \$16 million was spent on legal aid to young offenders, and it's the best estimate of the Ontario legal aid plan that parents could have

contributed about \$3 million to \$5 million, according to the director of the plan. The fact that parents can avoid paying for lawyers on behalf of their children when they can afford it is the antithesis of accountability.

We're also looking at what they're doing in the province of Manitoba, where they look at civil liability for parents whose children cause damage and at ways of compensation by being able to access and sue the parents who should be responsible for the deeds of their children. We're taking a look at the Manitoba legislation and we're going to study it very carefully.

At the federal, provincial and territorial meeting that I attended a few weeks ago we asked the Minister of Justice whether he would legislate to include this kind of civil liability in the Young Offenders Act so that we could have a national standard, so that we could develop this piece of legislation together. Unfortunately, he was not interested.

NEWSPAPER OWNERSHIP

Mr James J. Bradley (St Catharines): I have a question for the Minister of Economic Development, Trade and Tourism. You and members of your government have been critical of government monopolies that you believe are not in the public interest. As a senior minister in the Conservative cabinet of Mike Harris, do you believe that control by Conrad Black of 58 out of 140 daily newspapers in Canada, many of them in Ontario, represents healthy competition in the newspaper field, is in the public interest and is in the interests of a healthy democracy?

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): I say to the member for St Catharines, this government has no intention of telling businesses how to run their affairs. If the newspaper industry is to go the way he says it has gone, we are not going to say anything about that. We don't believe in interference; we believe in free enterprise on this side of the House. That's what's made this province a great province in the past. It wasn't for 10 years, but it's going to be in the future.

Mr Bradley: I'm not surprised to see that the minister would defend the powerful oil companies in one case and now the most powerful person in the newspaper business in Canada.

I know the minister has been concerned about competition — the Premier is prompting him now. I'll wait till the Premier tells you what your answer should be. This says, "When the dust cleared, one man, Conrad Black, controlled more daily papers than any person in the country's history, and it happened almost before we knew it, because newspaper ownership in Canada has become so concentrated, some would say saturated, and all 34 properties he bought changed hands privately in boardrooms without the bother of competitive bidding and with no possibility that the new owners will be people who actually live in the communities they serve."

Minister, you as a senior member of cabinet have a situation you are viewing where one individual in this country will have a virtual lock, unprecedented control of an important component of the information industry. As

a result of his latest acquisitions of newspapers, bought behind closed doors without apparent competition, it is possible that thousands of employees will be turfed out the door, that the print media power will be concentrated in one man's hands, that community control over newspapers will be eroded and that the Canadian press will disappear.

Are you still prepared to stand in this House and defend what Conrad Black is doing and this concentration of power in the hands of one individual? What advice would you give to any who may have jurisdiction and control over this matter, as your cabinet colleagues seem happy to do on certain occasions?

Hon Mr Saunderson: May I say to the member for St Catharines that I don't agree with much of what he was reading out. I think it's a point of view that recognizes — an attack on private enterprise, and I don't support that.

I would like to say to the member that his federal government cousins could perhaps listen to what he has to say. But I have to conclude by saying that we had 10 years of intervention —

Mrs Lyn McLeod (Leader of the Opposition): Do you want them to do something? I think you do.

Hon Mr Saunderson: Will you listen to me? We had 10 years of intervention from first this party, then that party over there.

Interjections.

The Speaker (Hon Allan K. McLean): Order. Will the minister complete his answer.

Hon Mr Saunderson: I'm pleased that she'll let them listen to me, because when they ask their questions, I sit here very diligently and try to listen to every word they are saying.

I would like to conclude, as I was so rudely interrupted last time, that we had 10 years of intervention from those people there and then from those people over there, and they got us nowhere in this province. We stopped being the engine of growth in this province. We are going to be the engine of growth without interference from government.

FAMILY SUPPORT PLAN

Mrs Marion Boyd (London Centre): My question is to the Attorney General. This weekend, the national Women's March Against Poverty entered our province, and next weekend they'll be here at Queen's Park.

One of the major reasons for poverty among women and children is the non-payment of family support by non-custodial parents, so it's rather ironic that this event occurs at the same time as your ministry is trying to get its communications spin on your plans to decimate Ontario's successful family support plan. It's really ironic because, as your own marketing and communications strategy and the business plan for FSP says, Ontario has the best and most cost-effective per-case plan in the entire country, yet however you spin it, you're planning to downsize and centralize that plan that has helped thousands of women and children to collect the support payments that are owing to them.

Your own communications plan admits that the transition period will see a service reduction to clients. Your own plan admits that women's advocacy groups, that all of the stakeholders, will see your plan as a reduction. In fact, your communications strategy says very clearly that it is your plan to close all eight regional offices and two central inquiry sites and to centralize the core business, with a staff reduction of 335 people, in order to meet a constraint figure of \$8 million over two years from a budget of \$22 million, a budget that that particular plan more than doubly compensates the province for in non-tax revenue through assigned cases.

We heard this morning from a parent who talks about how important those regional offices are in following down these schemes. How are you going to explain to a person like Cheryl Van Weston why you're going to take away the services that have meant everything to her in trying to support her child?

Hon Charles Harnick (Attorney General, minister responsible for native affairs): As I've indicated to this House before, the importance of having a family support plan that works is paramount to this government. The number one goal we have is to increase compliance. We have to make sure that parents pay their child support, and we are exploring solutions that will work in this province.

1450

I need only take a look at some of the comments that have been made by members across the way: Mr Gilles Morin has said, "I've received many verbal complaints regarding this problem"; Mike Brown, "I wish to bring to your attention a matter of vital importance to my constituents who are single parents relying heavily on support payments"; Dwight Duncan, "I have been contacted by a constituent regarding your ministry's 1-800 number; my constituent has experienced great difficulty in accessing this line."

Quite simply, what we are trying to do is look for ways to enhance our ability to collect the moneys that are outstanding, mostly to pay the support that children need in this province. I'm asked by members of the opposition to do something, and then when you go to look at making plans to make the plan better they say, "Oh, leave the status quo; we don't want a situation where we're going to have to adjust employment and maybe change the way we do things," because everybody wants to protect their own little constituency. But it is unacceptable that \$900 million remains outstanding to children. We are looking for ways to do better and collect that money, better than either of those two parties has done in the past.

Mrs Boyd: You talk a really good line about customer service, but let's face it, the real driving force here is your government's desire to cut spending. The only way you can do that is to cut your caseload, and your plan clearly says that although everybody will file those enforcement orders, enforcement will only happen when the person complains. If a person complains, then you will enforce; only, your managers will have an opportunity to say, "No, it's not worth our while."

Let me read from the plan: "This will restrict caseload to clients who are truly in need." You also say that your trace and locate activities are going to be centralized,

standardized and restricted to what is reasonable, given limited resources. In other words, all sorts of women and children out there will no longer have the same equal opportunity to have their cases pursued that they now have. You are doing less with less, not more with less. When the national women's march comes, how are you going to explain to all those women that you are destroying the most effective family support plan in this country? And you are doing it trying to pretend that you're going to do more with less.

Hon Mr Harnick: If this plan was so effective, why am I getting all the complaints from the member and her colleagues? As of now, today, 6% of calls attempted by the public get through to the family support plan. We are able to deal with 11 phone calls per half-hour. That's a great endorsement of the plan — hundreds and hundreds of phone calls and we can deal with 11 per half-hour. We have people who answer the phone who can't deal with the problems, who have to say, "I'll get back to you." We're going to end that and we're going to create a system where people can answer the phone and actually deal with the problem at the same time. We have letters coming in to the ministry, to the family support plan. It takes 30 days to turn those around, rather than to have someone receive the call and deal with it immediately, and that's the objective that we have. There is \$900 million in arrears, and if that's a ringing endorsement of the plan this member says is the best plan going, then I'm not satisfied and we're going to do better.

HIGHWAY IMPROVEMENT

Mr Steve Gilchrist (Scarborough East): My question is for the Minister of Transportation. Over the last 10 years we've seen a serious neglect of the road system in this province. It's staggering the extent to which our vast network of roads was allowed to deteriorate over the last 10 years. I had occasion, particularly in 1993 and 1994, to travel this province extensively. Whether it's the Trans-Canada Highway in the north or Highway 401 down in southern Ontario, it's abundantly clear to anybody driving our roads that they have never been in worse shape. We once had a road system that was the envy of everyone else in North America. I am chagrined to say that is not the case today.

Recently, you announced that you will be committing more dollars to repairing our highway infrastructure, an infrastructure that's an integral part of the Ontario economy. I applaud this reinvestment, particularly the expansion of the budget for the funding of road rebuilding in northern Ontario.

The Speaker (Hon Allan K. McLean): Put your question.

Mr Gilchrist: However, if the ministry's focus is on rehabilitation of our existing highways, does this mean that all expansion will be stopped?

Hon Al Palladini (Minister of Transportation): I want to thank the honourable member for Scarborough East, and I couldn't agree with you more: With the lack of attention paid to our provincial highways in the past decade, we find ourselves in a very deteriorating mode. The Provincial Auditor said that over 60% of our provin-

cial highways need immediate attention to make sure they become viable once again.

I would like to say to the member that even though we have made available over \$100 million more to rehabilitation programs for the provincial highways, we have not forgotten about expansion mode. Expansion mode is still part of this government's commitment to our economic growth, which depends on highway infrastructure. We are certainly not going to forget about expansion mode.

Mr Gilchrist: Inasmuch as there's a major project which directly affects our riding, the ongoing expansion of the 401 through the Rouge Valley, and recognizing the cost not just to the trucking industry but to all the travelling public to ensure that the roads are brought up to the standard which was the hallmark of this province prior to 1985, could the minister enlighten the House as to which expansion projects will continue or proceed?

Hon Mr Palladini: I would like to inform the member that whatever projects we had committed to, we are going to go ahead with. To give you a for instance, we're going to go ahead with Highway 401, Milton to Cambridge; the Queen Elizabeth Way, Hamilton to St Catharines; also Highway 403, Brantford to Ancaster; Highway 416 south; and also we're going to be doing Highway 69 from Port Severn to MacTier, to name just a few projects, because this government is committed to economic development, and our highway infrastructure is very key, very vital.

BAIL SUPERVISION PROGRAM

Mr David Ramsay (Timiskaming): I have a question for the Solicitor General. Minister, over the past year you've stated that we have too many people in Ontario jails, and you've also said we've got too many jails; I suspect in the next couple of weeks you're going to close some of those. We also know from various reports that have been released over the past months that our jails are overcrowded and the conditions are very poor; in fact, some of those reports have said they're inhumane.

I understand you're about to close some of the jail supervision programs across this province. In fact, in Sudbury they have had confirmation that this program is going to be closed. As you know, this program gives people who have been granted bail but can't come up with the money or don't have a guarantor some supervision so they don't have to go to jail. You know dangerous offenders don't get bail so there's no threat to society, so why would you be putting these people in jail and closing this system?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): I read those press reports over the weekend as well, and I guess the member is adding fuel to the fire with respect to the growth of rumours related to decisions that may or may not be taken by this government. I recall the leader of his party having a press conference some time ago announcing with great fanfare that we were going to cut the OPP by 30%, which over the course of time proved not to be the case at all.

Mr David S. Cooke (Windsor-Riverside): Only because the questions were asked.

Hon Mr Runciman: No, not at all. In fact, I indicated in response to a question that all programs the two

ministries are responsible for are under review. Final decisions in respect to the area you raised have not been taken. We're certainly considering the concerns. We're meeting with the groups that provide that specific service to discuss the pros and cons of the program. We will make a decision in the very near future, but no final decision has been taken.

Mr Ramsay: As you know, 25% of the people who have been on this program are either acquitted or their charges are dropped, so we know that 25% of the people in this program are innocent, and if you put those people in jail I think you'd be going very counter to what you've been saying in this House for the last year. What you'd be doing is basically giving those innocent people an all-inclusive package into the Ontario jail system. I don't think you want to be the minister of tourism to jails in Ontario. But that's not just sad, it's also very costly, because you know that the bail supervision program costs \$3.50 a day to administer and that most jails in Ontario are up to \$120 a day to supervise an offender in our jail system.

1500

Minister, when you're looking at rationalizing the system, why would you be closing a system that's very cost-effective and keeping non-violent offenders out of the jail system, 25% who are innocent, and throwing them into jail at a cost of \$120 a day?

Hon Mr Runciman: That's a legitimate question. We have had a survey conducted, a report prepared with respect to the success of the program and whether it's accomplishing the goals that were originally set out and what the costs are associated with that in terms of the cost of the corrections system versus the benefit. My staff are now reviewing that report. It's going to be part of the deliberations in terms of making a decision on this program. That's all I can say at this point. No decisions have been taken.

I'm certainly going to weigh the concerns you've raised here today. As I said, they're valid, and we're not going to be cutting off our nose to spite our face in respect to this kind of decision. It has to make sense, it has to make business sense, and it has to be in the best interests of all Ontarians.

ONTARIO HYDRO

Ms Marilyn Churley (Riverdale): My question is again to the Minister of Environment and Energy. I want to come back to the question around Hydro privatization because I found your answer to the Leader of the Opposition very puzzling. It was our government that brought Hydro under control and froze rates, and it was Hydro's own report that said rates would go up if Hydro were privatized.

I want to come back, however, to the secret document that Hydro won't release. The Information and Privacy Commissioner has said no to Hydro's attempts to suppress the peer review on the safety of Hydro's nuclear plants. Hydro argued that it should be able to keep the document secret because releasing it could jeopardize privatization discussions it was having with private investors. They could not have been clearer. Hydro is

eager to privatize. It's so eager to privatize that it's suppressing reports on safety.

Minister, I just don't understand this. Why are you allowing Hydro to secretly hold talks on privatization and at the same time suppress safety reports that get in the way?

Hon Brenda Elliott (Minister of Environment and Energy): It would be inappropriate for me to interfere in the activities of Ontario Hydro as they're undertaking their day-to-day business. What I can say is that with regard to the peer reviews, I had said from the beginning that these are very important documents, that they are designed to be held in secret, that they are designed for frank and open discussion. I have always said and I truly believe, as both governments before me did, that the integrity of the process is dependent on the confidentiality of the documents.

Ms Churley: It's clear that your answer sends one clear message: For your government, privatization comes ahead of public safety, and protecting the peer review report comes ahead of public safety.

Minister, the privacy commissioner said, and let me quote, "Unable to accept Hydro's position that the results of the peer evaluation program should not be disclosed to the very public whose concerns about nuclear safety the program was designed to allay," yet you've chosen to side with Hydro — and you're accountable — and suppress the peer review, all because, as Hydro has admitted, it might disturb talks with private investors. This is a very serious situation. The privacy commissioner has said it should be released. Are you disagreeing with the privacy commissioner?

Hon Mrs Elliott: The first and foremost issue is how to maintain the safety of any nuclear facility operated in the province of Ontario. I understand that Ontario Hydro is examining the decision by the freedom of information officer and we will await to see what their actions will be.

NOTICES OF DISSATISFACTION

Ms Marilyn Churley (Riverdale): I wish to express my dissatisfaction with the Minister of Environment and Energy's answers to both my questions today: my questions on vehicle emission programs and also on the privatization of Hydro and the release of the peer review report.

PETITIONS

FAMILY SUPPORT PLAN

Mr Rick Bartolucci (Sudbury): This petition is to the Legislative Assembly of Ontario.

"Whereas we believe that the family support plan is a viable and necessary service provided by the government of Ontario;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the proposed centralization of the family support plan will have a negative impact on the children who are supported under this plan and should be cancelled."

I affix my name as I agree with it.

LONG-TERM CARE

Mr Floyd Laughren (Nickel Belt): "To the Legislative Assembly of Ontario:

"Whereas secure funding for long-term-care facilities is in jeopardy caused by this government; and

"Whereas residents in long-term-care facilities have the right to obtain good levels of care in order to ensure a healthy and safe living environment; and

"Whereas patients' needs and their wellbeing are being threatened if staffing levels are decreased;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We, the residents, families and visitors of Extendicare York" — that's in Sudbury — "wish to state that we have grave concern over the March 28, 1996, announcement of funding to long-term-care facilities and would like nursing and personal care staffing levels to remain at 2.25 hours per patient per day at the very minimum."

I agree with the sentiments in this petition and have signed my name to it.

MUNICIPAL BOUNDARIES

Mr Gary Fox (Prince Edward-Lennox-South Hastings): I would like to present to the Legislature a petition signed by 2,259 residents of Ernestown township in Lennox and Addington county.

The proposal of Warden Kelly Hineman for last Wednesday night's meeting involves severing those portions of Ernestown township south of 401 and east of county road number 6 and adding them to the Kingston governance review area, and the balance of Ernestown, including the industrial area, would form a new township with the village of Bath, South Fredericksburgh and Amherst Island.

They would like to express their opposition to Mr Hineman's plan and insist that Ernestown township not be subject to any plan which would include severing the township.

NON-PROFIT HOUSING

Mr Monte Kwinter (Wilson Heights): I have a petition to the Legislative Assembly of Ontario.

"Whereas the Ontario government has clearly indicated that it 'wants to get out of the housing business'; and

"Whereas the Ontario government is reviewing the legal contracts and budgets of every co-op housing project in the province; and

"Whereas the Ontario government has announced plans to make huge cuts to co-op and non-profit housing funding; and

"Whereas the Ontario government wants to replace affordable housing with subsidies to private landlords; and

"Whereas co-op housing is a proven success in providing affordable homes owned and managed by the people who live in them; and

"Whereas the actions of the Ontario government threaten to destroy stable, well-maintained communities which have been built over the last quarter of a century and the investment all Ontarians have made in this type of affordable social housing;

"We, the undersigned, request that the Ontario government sit down with the co-op housing sector to negotiate a deal which will ensure the long-term financial viability of housing co-ops and the continuance of rent-geared-to-income assistance upon which thousands of co-op members depend, and which will promote greater responsibility for administration by the co-op housing sector and less interference by the government in the day-to-day operation of social housing co-ops."

I've affixed my signature.

FISCAL AND ECONOMIC POLICY

Ms Frances Lankin (Beaches-Woodbine): I have a petition to the Legislature.

"Whereas evidence placed before the standing committee on finance and economic affairs illustrates that the stated fiscal plan of the government of Ontario will not work and the government's commitment to deliver 725,000 jobs over the next four years is unattainable, given the current state of the Ontario economy combined with the government's plan to deliver a 30% reduction in personal income tax at the same time as eliminating the deficit, and that the evidence presented to the committee illustrates the contradictions within the government's fiscal and economic agenda as well as the damage it will cause in every community in Ontario;

"We, the undersigned, petition this government to recognize its responsibility to working women and men in this province and abandon its plan to introduce a 30% reduction in personal income taxes. Instead, the government should concentrate on the creation of jobs so the economy will grow, the deficit can be eliminated and the accumulated debt reduced."

It is signed by over 400 residents in the province of Ontario, and I have affixed my signature to the petition as well.

1510

HIGHWAY 7A

Mr John O'Toole (Durham East): It's a pleasure today to present a petition from the citizens of Durham East, specifically from Port Perry, and I would read it as follows.

"To the Legislature of Ontario:

"Whereas the citizens of Port Perry find the existing crosswalk on Highway 7A unsafe for the following reasons:

"The existing sign and pavement markings are not clearly visible to eastbound traffic coming over the crest of the hill only seconds after the speed limit is 80 kilometres per hour;

"A serious accident has already taken the life of one child and injured a crossing guard;

"The crosswalk is heavily used and more than 60 more homes are currently under construction south of Highway 7A;

"Highway 7A is a busy route seven days a week, a route used by both consumers and commuters the same each day of the week;

"All extracurricular school activities and summer sports are located at the parks and schools to the north of

Highway 7A, requiring use of the crosswalk throughout the season;

"Therefore, since the Ministry of Transportation has refused to install an overhead lit crosswalk sign on the King's Highway 7A at the entrance of R.H. Cornish Public School, just east of Old Simcoe Road in the hamlet of Port Perry, notwithstanding the Scugog town council has made four separate formal requests since August 1994, including discussions at the Ontario Good Roads Association conference,

"We, the undersigned, petition the Legislature of Ontario to take the following action."

I affix my name.

RENT REGULATION

Mr Dominic Agostino (Hamilton East): I have a petition signed by a number of constituents that reads as follows:

"We, the undersigned, believe that rent control abolition would lead to a steep rise in rents due to a persistent shortage of affordable housing in Hamilton-Wentworth. Tenants who are the most affected by ongoing mass layoffs, wage cuts and hiring freezes, and senior citizens on fixed incomes will suffer greatly if rent controls are abolished.

"We are not in favour of any proposed abolition of rent controls by the provincial government and would urge the Legislature to reject any such measures."

I will sign my name to the petition.

TAX REDUCTION

Ms Frances Lankin (Beaches-Woodbine): A petition to the Ontario Legislature:

"Given that the proposed cuts in income tax will mean even more devastating cuts to social programs, including education and health care, we ask the government of Ontario not to proceed with the cut in income tax promised during the election. The few dollars we would get are not worth the extra user fees we will have to pay, the cuts to services we all use and the hardships it will cause."

I have affixed my signature to the petition as well.

MUNICIPAL LIABILITY

Mr Leo Jordan (Lanark-Renfrew): I have a petition from the corporation of the township of Lavant, Dalhousie and North Sherbrooke to the Legislative Assembly of Ontario.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Whereas municipalities are facing large premium increases from their insurers; and

"Whereas these increases are caused by large court settlements where the municipality is a codefendant; and

"Whereas the other defendant does not have sufficient coverage to cover its share of the award and the municipality is held responsible to pay the difference, regardless of the degree of responsibility,

"Be it therefore resolved that the township of Lavant, Dalhousie and North Sherbrooke request the province of

Ontario to amend the Negligence Act and other pertinent legislation to protect municipalities from 'joint and several liability.' A municipality should not be held responsible to pay more than its share of liability."

That's signed by ratepayers and council, and I affix my signature.

TAX REDUCTION

Mr Bruce Crozier (Essex South): I have a petition to the Legislature of Ontario.

"We, the undersigned, request that the Legislature of Ontario not approve any tax cuts until the causes of poverty and unemployment in Ontario are dealt with effectively and until the province's debt and deficit are paid down."

In agreement with this petition, I affix my signature.

HEALTH FACILITY

Mr Howard Hampton (Rainy River): I have a petition to the Legislative Assembly of Ontario.

"We, the undersigned, strongly believe that Rainy River and the surrounding areas have waited too long for the new health care facility. Multiple costly studies have placed our project as the number one priority for the district. The issues relating to a crumbling facility, physician retention and distance to a secondary health centre all necessitate a new facility in Rainy River urgently. The funding is available. Move forward with our project."

CHILD CARE

Mr Jim Flaherty (Durham Centre): I have a petition addressed to the Legislative Assembly of Ontario, which reads in part:

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to retain high-quality, accessible, licensed, non-profit child care as an option for Ontario parents and children."

I have affixed my signature.

NURSING STAFF

Mr Floyd Laughren (Nickel Belt): This is to the Legislative Assembly of Ontario:

"Whereas most primary care in hospitals is done by registered nurses; and

"Whereas nursing is an honourable profession with a long history of maintaining quality health care; and

"Whereas the health care system in Ontario is undergoing several cost-cutting measures by this government and nursing staff are carrying the brunt of much of this cost-cutting; and

"Whereas health care workers should not have to carry the cost of the entire health care system when the system is utilized by all persons living in the province of Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That registered nurses of Oakville-Trafalgar Memorial Hospital would like you to be aware of their concerns

regarding the ongoing discussions between the Ontario Hospital Association and the Ontario Nurses' Association.

"We are a non-union hospital. It is our understanding that a wage rollback of 20% to nurses' salaries is being contemplated. We have fought very hard to maintain nursing as a profession. While we recognize the necessity of cutting costs to the health care system, we believe that nurses will be unfairly penalized if this proposal is allowed to go forward.

"Despite wage freezes, there continue to be layoffs of nurses in hospitals. Job security has ceased to exist for us. Nurses are having to cope with increased acuity of patients, heavier workloads and still provide the quality of care for their patients.

"Nurses continue to keep updated in regard to their education in order to keep abreast of changes in the health care field, often at their own expense and time.

"Pay equity originally compared nurses to pastry chefs. We fought hard to dispel this image and to be recognized for our role in maintaining quality health care for our patients.

"Wage rollbacks will put us back into the kitchen as salad tossers. Health care workers should not have to carry the cost of the entire health care system when the system is utilized by all persons living in the province of Ontario.

"This burden must be shared by all as in any democratic society."

LIQUOR CONTROL BOARD OF ONTARIO

Mrs Janet Ecker (Durham West): I have a petition from my constituents which I will read in part.

"Whereas the Progressive Conservative Party is considering the privatization of the Liquor Control Board of Ontario;

"We, the undersigned, petition the Legislative Assembly that the board remain a crown corporation," because they have some concerns about what privatization of that organization would do. I would like to table this petition.

COLLEGE OF TEACHERS

Mr Howard Hampton (Rainy River): I have a petition to the Legislative Assembly of Ontario.

"Whereas the public secondary teachers of Ontario have taken a workplace democracy vote in accordance with Bill 7 and have rejected the proposed College of Teachers by a 94.8% vote;

"We, the undersigned, urge the provincial assembly to instruct the government to withdraw Bill 31, the Ontario College of Teachers Act, 1995."

This petition is signed by over 20 individuals from the community of Atikokan.

SCARBOROUGH GENERAL HOSPITAL

Mr Dan Newman (Scarborough Centre): I have a petition here to the Legislative Assembly of Ontario.

"Whereas the recommendations of the Metropolitan Toronto District Health Council to close inpatient paediatric beds, the special care nursery and the burn unit at the Scarborough General Hospital, resulting in significantly

reduced access to paediatric, newborn and burn care for a large geographic area of Scarborough; and

"Whereas the paediatric unit, special care nursery and burn unit at Scarborough General Hospital provide very cost-effective, quality care;

"We, the undersigned, petition the Legislature of Ontario to: (1) continue paediatric services, including inpatient paediatric beds; (2) continue special care nursery services; (3) continue and combine Metropolitan Toronto's burn care at Scarborough General Hospital."

I have affixed my signature to this petition, along with the other 3,000 names.

NON-PROFIT HOUSING

Mr Dan Newman (Scarborough Centre): I have a petition here from people from Atahualpa Co-op Homes and Cliffside Court Housing Co-op. It's a lengthy petition and it concludes by stating:

"We, the undersigned, request that the Ontario government sit down with the co-op housing sector to negotiate a deal which will ensure the long-term financial viability of housing co-ops and the continuance of rent-geared-to-income assistance upon which thousands of co-op members depend and which will promote greater responsibility for administration by the co-op housing sector and less interference by government in the day-to-day operations of housing co-ops."

I am presenting it on their behalf.

1520

INTRODUCTION OF BILLS

ENVIRONMENTAL APPROVALS IMPROVEMENT ACT, 1996

LOI DE 1996 SUR L'AMÉLIORATION DU PROCESSUS D'AUTORISATION ENVIRONNEMENTALE

Mrs Elliott moved first reading of the following bill:

Bill 57, An Act to improve the Efficiency of the Environmental Approvals Process and Certain Other Matters / Projet de loi 57, Loi visant à améliorer l'efficacité du processus d'autorisation environnementale et concernant certaines autres questions.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

EDUCATION AMENDMENT ACT (CO-OPERATION AMONG BOARDS), 1996

LOI DE 1996 MODIFIANT LA LOI SUR L'ÉDUCATION (COLLABORATION ENTRE CONSEILS)

Mr Wildman moved first reading of the following bill:

Bill 58, An Act to amend the Education Act to provide for co-operation among boards / Projet de loi 58, Loi modifiant la Loi sur l'éducation afin de prévoir la collaboration entre conseils.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

Mr Bud Wildman (Algoma): The bill amends the Education Act to provide that coterminous school boards should negotiate agreements in respect of the joint provision, purchase or use of certain services, equipment and facilities. The bill also provides that coterminous school boards should cooperate to eliminate duplication and achieve cost savings.

ORDERS OF THE DAY

EMPLOYMENT STANDARDS IMPROVEMENT ACT, 1996

LOI DE 1996 SUR L'AMÉLIORATION DES NORMES D'EMPLOI

Resuming the adjourned debate on the motion for second reading of Bill 49, An Act to improve the Employment Standards Act / Projet de loi 49, Loi visant à améliorer la Loi sur les normes d'emploi.

The Speaker (Hon Allan K. McLean): I believe the member for Hamilton Centre had the floor when we last adjourned.

Mr David Christopherson (Hamilton Centre): I appreciate the opportunity to resume my comments on Bill 49. I want to begin by stating that the government labels this "An Act to improve the Employment Standards Act," and I believe during my comments last Thursday I said that at the end of my remarks I would attempt to make the case, and I believe I have made and will continue to make the case, that this is not any kind of an improvement to the Employment Standards Act, but indeed this is taking away rights that workers and unions have had — and deserve to have — in this province for a long time. I would remind everyone that this bill was brought in in a way that was meant to suggest it's nothing to be excited about, that it's merely house-keeping, a little bit of clarification; that the real reform — damage, if you will — will not be concluded by the government for another year yet.

Of course we realize, with the government caving in to the pressure that we in the NDP mounted here, that this is far more than housekeeping. By agreeing to four weeks of public hearings — two weeks across the province in the summer, a week here in Toronto and a week of clause-by-clause — we see a clear admission that this is not just housekeeping, it's not just clarifying anything; there are significant changes contained in this bill, changes that take away, not improve, rights. They don't improve anything except maybe the government's ability to deny workers their rights and turn this into a province that more reflects their beliefs, which are more properly placed in the southern United States, in right-to-work states. We've heard previous members bragging about what's going on with social assistance and other things in Michigan. That's more rightly where their thinking is, and to that degree it may improve things for them and their wealthy and influential friends, but there's no improvement here for the average working person or the unions that represent them in the province.

It was interesting to note just today the article in the Toronto Star by Jonathan Eaton, a Toronto lawyer and

freelance writer. He says in part, "Alarm bells should be ringing for many Ontario workers in light of changes to the law recently introduced by the Progressive Conservative government." That certainly reflects the reaction I have been having, personally and in calls to my office in Hamilton and here in Queen's Park, from people all across the province who are now beginning to realize that this is not just a simple housekeeping bill but that fundamental shifts are taking place within the Ministry of Labour and within the laws that govern the rights of workers that were not clearly articulated by this government. If ever there was a minister and a government that misled the people of Ontario and directly Ontario's labour leaders, it's what they said this bill was about versus the reality of what it is truly all about.

In recognizing what's happening, people now are becoming very concerned about what this government is doing and they're very pleased there will be an opportunity during the course of the summer to comment and make submissions on this bill.

I mention again that this is all part and parcel of the government's cutting, slashing and burning of public service to provide the money necessary to pay for their 30% tax cut, and we know that this 30% tax cut is going to benefit the very wealthy and privileged in our society much more than it will the average working person. In fact, over 50% of the \$5 billion that tax cut costs will go to the top 10% of income earners.

This is yet another piece of that, and unfortunately the damage along the way is that workers' rights will be taken away and the ability to enforce whatever minor rights are left has been damaged by laying off over 450 people from the Ministry of Labour. It's my understanding that up to 45 people from the employment practices branch alone will be laid off as a result of bringing Bill 49 in place, which is why it was brought in now, by the way, rather than waiting for the year-long reform of the entire bill. All this is being done to save money: Lay off workers and pay for the tax cut that's going to benefit their most wealthy friends in the province of Ontario. That's the name of the game, and I believe that the facts as they come out will not only illustrate that but prove the point.

I move on and talk about the various pieces of this bill. I already mentioned a few on Thursday. There is more.

It's hard to believe that in a bill that was supposed to be a housekeeping bill there are all these significant issues, but there are. I emphasize that for the workers of Ontario this bill is their bill of rights. This law is the only law, the absolute law that provides bare minimum standards for working conditions, methods of payment and rights that workers have in the province of Ontario. This is the absolute bare minimum, and that applies not just to unions but to non-union workers.

I suggest that for non-union workers this is an even more important piece of legislation, because if you have a collective agreement, particularly with one of the larger, more influential unions, you are on the cutting edge of having some of the better rights and protections that exist through the collective agreement. As we know, historically that's why unions came into being. It was an attempt for workers to bargain and speak as one voice in an

attempt to balance out the absolute power employers have in the workplace. If you don't have that collective agreement, the only thing you have is this workers' bill of rights. So for anyone watching who either works in a non-union shop or has a relative or a friend who works in a non-union shop, this is of particular concern to you. Without this, without the Employment Standards Act, the workers' bill of rights, you have nothing.

1530

I would suggest it's not an exaggeration to suggest that this is like messing with the Charter of Rights nationally. Can you imagine a federal minister saying, "We've got just a few little clarifications, a couple of commas to change, a few words here and there, not a big deal," only to find out that there are substantive changes within the Canadian Charter of Rights and Freedoms? For workers in this province, that's what the employment standards law is about. It's your bill of rights and you are losing rights you now have, and this government tried to say there's nothing you need to worry about.

And don't forget, this is only the first small step. The larger reform — and in the context of this government, any reform means takeaways and denial of rights — is still to happen. The government's going to take a year to take a look at the entire Employment Standards Act, and at the end of the day we know workers will have even fewer rights than they have now. So this is a phenomenally important journey we're beginning with this government, and the working women and men of this province need to pay particular attention to what's happening.

I'm so very pleased that there will be public hearings in the summer, and I'm convinced there will be a tremendous response by unions, by community groups, by legal clinics, by people who are experts in the field who will point out that yes indeed, workers are losing rights from their bill of rights as a result of the government's Bill 49.

I want to move to the issue of maximum and minimum claims. It seems like a fairly innocuous suggestion, but the reality is that there are significant losses of rights in this particular part of Bill 49. What it says now is that the right to make a claim, if you believe you are owed money from your employer, is once again being capped. Our government in 1991 removed the cap that was there; it was at \$4,000. We eliminated that because there was a tremendous amount of criticism for that cap being in place.

The government pulled a cute one, really interesting to watch. The parliamentary assistant last week, I believe, got up and wanted to ignore the fact that right now there is no limit and wanted to talk about where it was before 1991 compared to the limit of \$10,000 they're placing on it. Fair enough; they're allowed to put whatever spin they want. But no one ought to be fooled into believing that somehow this government is improving anything for anybody.

The reality now is, regardless of how much money you're owed, you have a legitimate, fundamental right to lay a claim through the Employment Standards Act which is enforced by the Ministry of Labour, and you're about to lose that right if it's over \$10,000 — gone. You do not have that right as it now exists, because this government is taking that right away. That was supposed to be "just

a minor little housekeeping matter, nothing too significant."

But you do have the opportunity to take it through the courts. The government says, "We haven't denied you all the rights; you can take it through the courts," and then they move on to the next issue. Let's just take a look at what that means for people. Because they've also eliminated your right to go back beyond six months — you used to be able to go back up to two years for money owed; now you can only go back six months — you've now got to make a decision about whether you're going to take your claim into the civil courts or whether you're going to forgo any money above \$10,000, just consider it lost money, and go through the employment standards.

I see one of the backbenchers shaking his head no, no, no. Yes, yes, yes. Read your own legislation. That's exactly what this says to people. You have a choice. You either go to the courts or you give up that amount that's over \$10,000, particularly if it takes you past the six months, and then you can take it through the employment standards, as you currently can.

What does that mean? It means, first of all, that we're going to be clogging up the court system more than it is right now. It costs more for a court proceeding than it does for any kind of procedure within the Ministry of Labour. It also suggests — well, it doesn't suggest, it says very clearly — that people are going to have to pay their own legal fees, a right they once had in law. The bill of rights was there for them, and their right to have those rights enforced and protected by the government is gone, because now they have to pay to hire a lawyer, which they didn't have to do before. We also know that a lot of people are going to have to take even more time off work to attend court proceedings.

More and more, when you look at this issue, you see very clearly that this \$10,000 is not some innocuous little thing. It can have significant impact and in most cases it affects people who have the least ability to defend themselves, they have the least ability to access the legal system without having to pay for it because they probably don't have a whole lot of lawyers in the family or living next door to them. That's not the world we're talking about.

When we get down to the Employment Standards Act, we're getting down to the most vulnerable people in our society and we're talking about their rights and their ability to have those rights protected and enforced. That's what's being lost here.

I might add that if they decide to go through the court system, the records indicate they're looking at between three and six years to finally satisfy that claim. For a lot of workers that's a disaster, because these again are the most vulnerable in our society. They're the least of our population who can afford to wait three to six years to get the thousands of dollars that are owed to them.

We also know the government is setting a minimum. What's that minimum going to be? We don't know. They haven't said. So far, Bill 49 will merely give the minister and cabinet the regulatory power to set a minimum. What does that mean? What it means is that the new law allows the government, by regulation — and regulations are set in cabinet behind closed doors. They are for all intents

and purposes — and I've been there — secret meetings because nobody else can watch and listen and see what's going on. It's in that cabinet room that regulations are set and the debate takes place, and then they're published afterwards for people to look at. But the actual debate and decision take place in the cabinet room. It doesn't take place here. What Bill 49 does is give the government the ability by law to set that minimum by regulation.

Mr John R. Baird (Nepean): Come on, David.

Mr Christopherson: The parliamentary assistant is screaming, "Come on, David. Come on." The fact of the matter is, that's exactly what you're doing but you don't have the guts to say what you're going to set it at. All you do is give yourself the power to set a minimum by regulation. Nowhere in here do you say what that amount is going to be.

What are you hiding? What is it you're planning to do after the light goes off Bill 49 and you can make a regulatory decision inside the cabinet room that you don't want to tell the people of Ontario about? What is it that's there? That's how you're doing this. There's no reason not to tell the people of Ontario what the minimum is. When we talk about this minimum, what does it mean? It means that if they set it at \$100 or \$250, if you've been ripped off for \$250 or less in vacation pay or overtime pay or regular wages or in some other method, you cannot any longer have your right to that money enforced by the Ministry of Labour — they're out of the business; they don't do that any more — and you've got to go back to the civil courts. The answer of the government is that you've got to go to Small Claims Court. There we go again, talking about your having to pay legal fees, that you're going to have to take time off work, that you're going to have to go to a court. Before, your rights were enforced by the Ministry of Labour, and we believe that's the way it ought to be when you talk about minimum standards and rights. That's what we're talking about here.

1540

Why are they doing this? The more people they can take out of the Ministry of Labour process, the more Ministry of Labour employees they can lay off and the more money they can save to pay for the tax cut. That's what's going on. There are over 450 employees of the Ministry of Labour who aren't going to be there when this government is finished with that ministry. There's over \$40 million being spent to protect workers' rights that won't be there any more. That's the reality. That's what they're doing with this clause.

We know they want to take things out of the ministry and push them into the courts, yet at the same time they tell us they're trying to save money inside the courts. We're probably going to have to follow the whole process through to see what changes they make to the court system to determine just how much workers will lose. We know they've lost already, but if they make further changes to the administration of justice and the court system, it is possible and probably likely that workers and the most vulnerable will not have the same kind of access to justice they have now.

Next I want to talk about the issue of private collection agencies. We hear the government trumpeting the sound

that if it's in the public sector it must be inefficient and if it's in the private sector it must be more efficient. An awful lot of them on the government side believe that as an article of faith, in every instance, time after time, no matter what, if it's currently in the public sector and you've got a chance to move it into the private sector, that makes this a better world.

I would be the first to admit there are instances where you would want to look at the private sector to provide certain services, but I also believe there are fundamental services that belong in the public sector because they make for a better society and stronger and better rights for the average working person. That's why this government has so much trouble understanding a lot of these things. They don't think about it from the point of view of the average working person out there slugging it out; they take a look at this from the viewpoint of those who already have the best benefits our society has to offer by way of privilege and access to power and money. From the other world, things look a whole lot different. This government almost always believes — look at their speeches, listen to their comments, look at their legislation and you will see it — that if you can move it to the private sector, it's bound to be better.

Let's zero in on this instance. What we're talking about here is the ability and the plan and the intent of this government to move the collection of money owed to employees, to working people, from the Ministry of Labour into the hands of private collection agencies. We also all understand that the sole purpose of any private corporation is to make money. That's why they exist, that's their *raison d'être*, that's the whole point, and I don't have a particular problem with that. In and of itself, I don't have a particular problem with that. But to set it in its context, I don't ever want to see our police run that way, I don't ever want to see firefighters run that way, I don't want to see our hospitals run that way, and I think there's a case to be made that the collection of money owed workers under their bill of rights ought not be run that way.

Mr Chris Stockwell (Etobicoke West): So what's your point?

Mr Christopherson: Here's the point: The government is allowing private collection agencies the ability — and I think this is the key point — to broker a deal between the employer and the employee for an amount that represents only 75% of the money in question, and then the private collection agency also takes out the cost and they also make sure they've got their profit margin. We've already agreed that's the purpose of any corporation. But the money for that, in my opinion, is likely to come from —

Mr Stockwell: Don't agree if you don't like it.

Mr Christopherson: The government is saying, "No, it can only be by all-party agreement; everybody has to agree." If you're talking about someone who has a university degree, who understands how the world operates, whose first language or most comfortable language is English and who is comfortable taking on their employer, in those circumstances it is indeed possible that you would have a deal that's fair.

Interjection.

The Deputy Speaker (Mr Bert Johnson): Would the member for Etobicoke West come to order, please.

Mr Christopherson: That could likely be a fair deal, because that person has a sense of what their rights are and what they may or may not be able to bargain for. That's a situation that doesn't exist now with the Ministry of Labour. The whole point of the Ministry of Labour being there is to make sure as a priority that that employee gets every dime and nickel and penny they're owed. That's why you have a bill of rights, that's why you have a minimum standard of employment and that's why you have a Ministry of Labour to protect those rights. The whole thing is now flipped over.

Let me paint a scenario. When you're talking about people who do not have a union to represent them, who are in a minimum-wage job, who do not have the educational background, who don't pretend for a moment to understand our complex and confusing legal system — as wonderful as it is, it is complex and it is confusing — if you're talking about someone who's an immigrant worker, someone whose first language is not English, who is frightened in many cases — I'm not suggesting the whole world is made up of unscrupulous employers, but obviously they do exist or there would never be a need for employment standards and other protection laws in the first place. Let's understand that we're within that world, that rather despicable world, but it does exist. In that world, people are exploited. I'm not suggesting every worker in Ontario is exploited, but I am saying there are workers who are exploited. That's why there are minimum laws, that's why there's protection. There are workers out there who are terrified of their bosses, terrified for their jobs because, God forbid, as bad as that job is, they can't afford to lose it. How would any of us like to live on the minimum wage? Think about what their world is.

Now there's a dispute, and someone comes in whose sole purpose at the end of the day is to make money off the exercise of closing this file. I submit to the government that an awful lot of employees will face a tremendous amount of pressure — not illegal pressure; I'm not suggesting that kind of wrongdoing, although that may or may not happen, but I'm not suggesting that — tremendous pressure to settle for less than they're entitled to in order to get the matter resolved, to get the money they need, because they're not sure of what the alternatives are and they're not sure of what their chances are for success with the alternatives. So I submit there are workers in this province who will not get what they're entitled to as a result of this government's move to privatize that collection.

1550

Again we're talking about the workers' bill of rights, the minimum right workers can expect when they go out to work every day, and this is what's being taken away. All of this is under the umbrella of An Act to improve the Employment Standards Act. There's no improvement there. There's no improvement when workers do not have a representative of the Ministry of Labour come into their workplace with the ability to go through records and ascertain whether this employee is entitled to their wages and then make sure the money they're owed is given to

them. That's all this is about. Let's not forget that this is not about some kind of new added benefit for anybody in the province. We're talking about the ability of the average working person to make sure they get what they have worked for. That's what the Employment Standards Act is about.

I believe there's going to be a difference in the attitude of an individual who comes into a workplace whose sole purpose is to make money and profit — again, I recognize that's fine in its place, but I think there's a difference between someone who goes into that workplace whose purpose is to cut a deal, close the file and make a profit versus someone who is told every day at work, "Your job is to make sure that workers out there get the money and rights they're entitled to." I don't think it takes a tremendous leap of faith to believe and understand that at the end of the day you're going to get a different outcome for the workers with those two approaches.

This government is so hung up on saving money — we've seen it in health, we've seen it in education, we see it in social services — that it does not look at the impact on the average person. When there is any kind of loss or shift, of course they trot out the tax cut: "There's your 30% tax cut. When was the last time you had a tax cut?" You all know your mantra and you give it.

But the reality is, for most of the people who have to rely on the Employment Standards Act to protect their rights or to make sure they even have any, they're going to see diddly-squat in terms of any kind of benefit of that income tax cut. We know that. If they're lucky, it's a couple of bucks a week — if they're lucky. For minimum-wage earners, it won't even be that. By the time we take a look at the increase in user fees and property tax increases and costs in education to offset these tremendous cuts in transfers and when we look at the services that are just plain gone to those workers, this is no fair deal for them. There's no fair deal for them.

That's why this government tries to pretend everything it's doing is only eliminating fat, eliminating inefficiencies. That's what they talk about. But I've given the example here before, as I do with labour issues, on education. I see some students here today. I was in a high school in my riding not that long ago; they're using textbooks 20 years old — in some cases they're not even using textbooks, they're using photocopies — and they're giving the textbooks over to the next class before they're finished because there's not enough money.

If you're a worker earning minimum wage and the best you can hope for for your children for a better future is the school system, you tell me how they benefit. You tell me how we benefit as a society when we save millions of dollars in the Ministry of Labour but we leave people vulnerable and we don't make sure their rights are protected. How does that make this a better province?

Interjections.

The Deputy Speaker: Excuse me. There's too much yelling and so on. The rules of debate go from one to the other. The member for Hamilton Centre has the floor. I would ask you to give him attention or voluntarily leave so I don't have to do that for you.

Mr Christopherson: Thank you, Mr Speaker.

We are talking about what this does to the average working person, and particularly the most vulnerable. Earlier on in this constant heckling, one of the things that kept coming through from one of the members was: "Who are the most vulnerable? Why do you say it's them?"

I say that very clearly because if you're in a small workplace and you do not have a collective agreement, you do not have a union to fight for you, and if it's mostly women and it's mostly people who have come here from another place, as all of our ancestors, by and large, did at one time or another, unless you're first nations, and if English isn't your first language, and quite frankly if you're working in a sweatshop — again, not all workplaces are sweatshops, but they do exist — if we want to talk about that worker's rights, they're losing their shirt with this one. And it's only the beginning, because the government is going to take another year to take a look at the Employment Standards Act in its entirety, and at the end of that process they're going to lose even more.

There's a belief in our justice system that says it's better to let 10 guilty people go than to wrong an innocent person, yet somehow when we talk about workers, we don't get down to that individual level. If there's one person hurt whose rights are lost or whose rights are not enforced as a result of Bill 49, then the government has every reason, in my opinion, to hang their head in shame. But it's not just one person; it's not just some obscure scenario that can be created. It's a whole lot of working people, union and non-union, who are losing their rights. The government knows that's the case. That's why they caved in and agreed to the pressure on public hearings, because they could not sustain an argument that said: "No, this is insignificant. It's only housekeeping." They could not sustain that argument because it's not true. They couldn't sustain it, and that's why they caved in and gave four weeks of public hearings on this particular bill. That's a heck of a change from where they were when they introduced it.

So for all the catcalls and heckling I hear from the government benches today, by your own government's action you have admitted that this is a big deal. It's a big deal because you're taking away rights that workers are entitled to in this province, and you tried to slide it through just like you did with Bill 7, which actually you rammed through, and as you tried to do with the omnibus Bill 26. People remember that one. This was the same game. The same game was at play, but you got caught out.

Finally, there's an acceptance across the province that for a government that talked about democracy, their track record shows they're the least democratic government we've ever had in the history of Ontario and, I would go on to say, the most mean-spirited government because of what they are prepared to do. Not that they get up every day and say, "How can we hurt someone today?" but they're prepared to allow people to be hurt in order to achieve their overall objective, which is that bloody tax cut that's supposed to be the cure-all for everything. And yet the reality is, for the people who need the public

services that are provided the most by governments in Ontario, they lose big time.

I want to move on. The government is also making further changes in Bill 49 that will not allow workers an opportunity to use the Employment Standards Act and the Ministry of Labour if they belong to a union. If you belong to a union, that right is gone; you now have to use the grievance procedure. Before, you had the right to determine which process, through the ministry or through your grievance procedure — and you could start both — would best protect your rights, and now you can't. Why? Again, the more people that they can shovel out of the Ministry of Labour, the more Ministry of Labour employees they can lay off, the more money they can save and the more they can stand up and pronounce how successful they were with their 30% tax cut and balancing the budget and all those other things that sound so wonderful but hurt so many people at the end of the day. Besides, given the track record of this government, if they can load a few more costs into the labour movement and put a greater financial burden on them, hey, the way this government looks at unions, that's another win. That's a bonus point. You get a bonus point for doing some harm to the labour movement if you're also achieving the broader political objective of this government. That's what happens when you make that change.

1600

Some will say, "Well, it's not right that people should use two different processes and decide which one's going to be to their greater benefit." Excuse me, but yes that is defensible, because we're talking about rights that people have. That's the difference. We're talking about the right of a citizen of this province to go to work, expect to be treated decently and fairly, to be protected from injury in the workplace, to be sure that they're paid a decent and fair wage and to be sure that if they are unfortunate enough to work for an unscrupulous employer or a dishonest employer there's some method of having the money they're owed given to them and have their rights protected. Let's not lose sight that that's what this is about.

In a civilized society like in Ontario, which prides itself — at least, we used to — on the progressive nature of how we operated and designed our society, we said that we'll do everything we can to make sure those rights are protected. So, yes, it makes good sense that if there are two possibilities of having your rights protected, why not allow both those processes to be started and conclude with the one that has the best chance of defending your rights? That's the way it's been. It's still like that in some jurisdictions. But this government doesn't want to talk about Bill 49 as an issue of rights; they want to talk about it as an issue of dollars.

There are some changes in here that affect dollars that we can support. The notion that there was a housekeeping bill that had clarifications originally was supported by the labour movement. There were some things that needed to be clarified. Laws can't stay the same forever; circumstances change, interpretations, jurisprudence. There are many things that change, so it's not unusual, and sometimes a law can be better written through amendments, things you didn't foresee the first time, and some of the

things in here are just that. Yes, they will save money for the government and that's a good thing, and they'll clarify questions that no longer will have to go to an arbitrator, in front of a court or in front of an officer from the employment practices branch.

Those are good things, and that originally is what we thought we had on the floor of the House the day this was tabled, but it's not what we're talking about when you look at the issues that I've raised over the past two days of debate on Bill 49. I can assure you that there will be even further concerns raised when we get out across the province, into communities over the summer, give people a chance to do their detailed analysis of these things and study them and think them through, because that's what democracy's about. That's how you're supposed to pass laws, but we know this government doesn't like to do that. Let's not forget, this is the same government that rammed through the anti-worker Bill 7, which replaced the entire Ontario Labour Relations Act — not amended it; replaced the entire document. Not one minute of public hearings.

Mr Baird: Because you wouldn't give us a committee.

Mr Christopherson: I hear the parliamentary assistant saying to me — I'll take you on on that issue anywhere, any time you want. You talk about the fact that we wouldn't agree to a few days in the House. Nobody's conned by that. You tried to offer up a few days before Christmas so you could ram through Bill 7. You know that was totally inadequate, totally unacceptable by any measure, given what you tried to do. At the end of the day, this government's accountable. You may sit there nice and smug in power now as all the cabinet wannabes —

Mr Stockwell: Like you didn't sit here smug when you were in power.

Mr Christopherson: — like the member for Etobicoke West who starts cackling because now there's some suggestion he may actually make it into cabinet.

When we see them sitting there playing those kinds of games it's maybe easy to understand why they don't think there's ever a day of reckoning, but there is. The fact of the matter is that on Bill 7 this government has a majority in the House and they have to answer for the fact that they thought it was okay to ram through an entire new Ontario Labour Relations Act without one day of hearings. You're the government. You're accountable. You have to answer for that. You're the same government that tried to pull a fast one on Bill 49. It's the same government that forced us to do what we did with Alvin Curling over the omnibus Bill 26. You want to go out? Go on. Go out and talk to people about the omnibus Bill 26 and ask them do they feel the government was right in that fight. We all know they don't.

You don't need to worry about my comments. Your track record is enough evidence to make the case that you are not interested in letting people look at laws that affect their rights, because you know you are taking them away and you want to slide it through or ram it through in whatever way you can. The history is there. You can't change it. Rather than learn from it, they continue to do the same thing.

They do the same thing time after time, and in this case the minister put her own credibility and reputation and integrity on the line by leaving the clear message with labour leaders: "Don't worry about this bill. It's only a few housekeeping changes. It's only a few clarifications. You can go ahead and go to your convention, which just happens to be held at the other end of the nation. You can all safely go there and know that we won't do anything in this bill that would actually change an important part of the law. Don't worry. Trust us."

They took the minister and the government at their word, and look what happened and look where we are today. Then the government wonders why the labour movement feels it's under attack by this government and from this government.

As I begin my wrapup comments, I want to go back and make sure we haven't forgotten the issues we talked about on Friday, because we talked about the fact that there will now be the ability to have standards below the minimum now entrenched in law. They do it under the guise of, "Well, as long as the total package is more," but the reality is that we begin to go down the slippery slope where there are no bottom line rights that exist in the province of Ontario for workers. We get into a patchwork where there are some standards below, and then we're going to get into the question of non-union shops wanting to know how they can get in on the game because this looks like a good thing, or the unionized shop down the street has made some kind of a tradeoff and they want the same thing.

The minister has acknowledged in a scrum that yes, that's a possibility some time in the future, that this might apply to the labour movement or to workers who are not necessarily unionized. So that door has been opened by the minister herself. We still haven't heard an explanation of what that might mean. We know they've taken away the right of workers to make a claim that goes beyond six months. It was up to two years. That's gone. It doesn't exist any more. It will be six months under this law.

We know the government is now saying that if it's over \$10,000 you can't use the Ministry of Labour, your rights cannot be defended and protected by the Ministry of Labour. We know they're going to set a minimum where if your claim is less than that, if your employer ripped you off for 100 bucks on your vacation pay, you cannot use the ministry enforcement branch, you've got to go through Small Claims Court.

We also know that we don't know what the amount's going to be, because the bill doesn't spell it out. All it does is give the minister the power to set that minimum, and even if they set it at a minimum — say they set it at \$10 for some reason because they believed that was it — there's nothing to prevent this government down the road from moving that minimum up. We start down the slippery slope, and that's a lot of what the government has been doing with the laws that affect working people and a whole lot of other things.

1610

Then, of course, we always have to take a look at every new measure the government takes when it comes to workers, to the rights of workers and the rights of

unions in the context of what it's already done. I've mentioned Bill 7 and how they rammed that through with no public hearings — none. They've already passed their first WCB legislation, which took away the rights of workers or their representatives to have half the seats on the board, remembering that WCB was an initial compromise back in 1914 that said workers give up the right to sue their employer if they're injured on the job in exchange for a guarantee that they won't lose wages and benefits. That was a deal that was cut just after the turn of the century.

When we were in power we took the next step in fulfilling that bargain by making sure workers had half the seats on the board, since it was a 50-50 deal to start with. That's gone. It doesn't exist any more; it's gone. That law is already gone, and we know that the minister without portfolio responsible for WCB reform is in the process of trying to put together a package that will take away further rights from workers. They killed the public process on that one too and they took the whole thing underground, or meeting with people behind closed doors. That's what they've done with WCB. That's what they're planning to do with WCB.

Of course, the whole purpose of that action is not this business of the unfunded liability, which is a phoney argument that doesn't hold. It's a phoney crisis, just like the Minister of Education wanted a phoney crisis that would exist here. What it's really about is finding the money to give employers a cut in their assessment rates, and it's going to be at the expense of injured workers. That's what's going on with WCB.

The Workplace Health and Safety Agency is completely gone. There was an entity that existed solely to focus on preventing accidents, and contrary to what this government wants to say, the stats will show it was working.

Interjection.

Mr Christopherson: Yes, the Liberals wanted to do the same thing to the Workplace Health and Safety Agency. It's interesting to remember that that agency was also 50% worker representatives and 50% employer representatives. The government can't handle that: How dare workers get out of their place and get uppity enough to think they should have an equal say in WCB or in running the Workplace Health and Safety Agency? How dare workers think that way?

The Tories and the Liberals wanted to kill it. The Tories got the first crack at it, and they did it. That's gone. This government has slashed health and safety training for workers by over 50% and they're going to a system — and we'll get a chance to talk about that at some point, because we also know they're going to open up the Occupational Health and Safety Act. Where did we find that news? In the announcement of cuts within the Ministry of Labour, so we know there are more rights to be lost there. They're moving to systems and processes that at the end of the day take away rights and powers that workers have worked and bled and died for in this province, and they're going to change this whole world, this whole map, in one term.

The wage protection program: Finally in the province of Ontario under the NDP government there was a law

that said: "If workers lose their wages because of a bankruptcy, we as a government will make sure those wages are covered off so you can get on with your life. The devastation of a bankruptcy is enough. Get on with your life. We'll go after the employer to get that money." They've already slashed and gutted that, and I wouldn't be surprised if by the end of this term in power it's completely gone.

Then there's the ministry itself. Over 450 employees from the Ministry of Labour are going to be laid off. These are not paper shufflers. These are not people squirrelled away developing policy papers. These are front-line workers in the Ministry of Labour whose sole mandate is to make sure that the rights workers have are enforced. Over \$40 million coming out of the Ministry of Labour; that's \$40 million that was being spent to protect the rights of workers that's going out the window. That's got to be great news to some employers in this province. This whole agenda is just the greatest news a number of employers could ever have had — a gift.

Every day you put another present under the tree, except that it's paid for by workers. Every one of those presents that you give to your employer pals and your wealthy friends is paid for by workers who are losing rights. It doesn't stop; they've gone after the poor, they've gone after the disabled.

Interjection.

Mr Christopherson: That's what disabled workers are, on WCB. Why don't you stand up in your place, parliamentary assistant to the Minister of Labour, and tell me how an injured worker is not a disabled person by any definition. That's what you've done, gone after the most vulnerable. That's what this bill is, another attack on the workers of this province. At the end of the public hearings, you're going to understand you cannot continue this attack on working people in Ontario.

The Deputy Speaker: Comments and questions?

Mr Stockwell: The member for Hamilton Centre I find to be generally reasonable and convincing in his arguments, but that had to be one of the most pathetic, one-sided, socialist rants I've heard in this place in a long time. I've got to ask the member opposite why in an hour and a half, if this agency was so important to be protected, he couldn't, after being asked 25 or 30 times, tell the Legislature how successful this precious agency was? Why can't you give us the success rate? Why can't you tell us the number of dollars they collected, the percentage of dollars they collected? You know why he can't tell you? Because it's pathetic. They weren't collecting any money. People were going to the ministry, looking for assistance, and were given some placebo by some bureaucrat that, "Somehow we'll bail you out and collect your money," and at the end of the day you didn't collect it.

Now you stand in your place in the Legislature ranting in your socialist, warped vision of the province, telling us we can't do away with a ministry official group. Why? Because they employ people. Do they accomplish anything? No. Do they collect any money? No. Have they been successful? No. Why should we keep them on? Because they employ a few people in the Ministry of Labour. That's all you've got to ask after an hour and a

half. Give us the success rate of this ministry, and then we'll have it determined whether or not it's useful.

Finally, he suggested that this government is glib and snubs people with its arrogance. I would only caution the member for Hamilton Centre: Yours was the government that for over one year didn't even deign it reasonable to sit in this place, passing orders in council and not giving the people an opportunity to comment on your legislation. The height of hypocrisy and arrogance; it was arrogance on stilts. No one was as arrogant as your government.

Mrs Sandra Pupatello (Windsor-Sandwich): I know the member for Etobicoke West is hoping for cabinet, and it's quite a performance he puts on this afternoon.

I would like to make a comment, though, on the comments of the member for Hamilton Centre and his comments on the Employment Standards Act. What concerns me the most is that we should all be picking our targets today. The Liberal record on workers' comp is admirable. I'd like to remind the last government, which is now sitting as the third party, which party it was that indexed the pensions for workers, in particular injured workers, and which party it was that de-indexed the pensions for injured workers — that from a government that was supposed to represent the workers of Ontario at the time. It was an NDP government that de-indexed those pensions, the indexed pensions that were brought in by a Liberal government. The workers of Ontario will remember that.

The current government is not taking into account those who would be most severely affected by the changes that are represented here. These amendments do nothing to help most of those who are suffering from injuries due to the workplace. They have not addressed the real issues here, in particular those workers who are not represented by a union. They will be the most affected. They'll have nowhere to go; they will not be helped. Ultimately, we look for feedback and we wish the government was more accountable to take care of their own — yes, all the people of Ontario, in particular injured workers.

1620

Ms Shelley Martel (Sudbury East): I want to congratulate my colleague from Hamilton Centre because he raises issues today that people in this government caucus don't want to hear; that is, that this government, from the day it got here, has been intent on assaulting and attacking workers of this province with its policies and with its legislation. They can't deny it, and what my colleague from Hamilton talked about today was exactly to point that out, to reinforce again and again that attack.

Let me just follow up and reinforce it again. One of the first acts by this government was to freeze the minimum wage. If the Minister of Economic Development, Trade and Tourism has his way, he'll have that frozen until we're competing with Atlanta or some other jurisdiction that's got a wage rate of \$2.85 an hour.

Then we've got the freeze on pay equity, to deal with women who should have the right to be paid for work of equal value. The government froze some of those payments in July and then, with Bill 26, they went in and stomped on the lowest-paid workers in this province, female workers in female ghettos, and said they had no

right any more to try to get proxy. That was shameful. Those are women who work in nursing homes in this province, in child care centres, the same women to whom this government says: "You don't deserve pay equity. You don't deserve to receive equal pay for work of equal value."

Then they went ahead and ended the bipartite structure at the Workers' Compensation Board, ended the bipartite structure at the Workplace Health and Safety Agency and demolished the agency. Now the minister stands in her place and has to defend why it is that workers are going to get even less training on the job. When we're trying to do everything we can to train injured workers so WCB rates can go down, they are responsible for cutting back on certification and the amount of time workers will receive in certification training.

In terms of Bill 7, they not only repealed our OLRA changes, they took us 50 years back and stepped on rights that injured workers and other workers had in this province for at least the last 50 years. This government doesn't like to hear it, but they just continue the assault on workers in this province with this bill.

Mr Baird: The member opposite talked about secret cabinet meetings and how disgraceful it was. Yet when he was in government, he was the first one to attend them, and what happened at these secret cabinet meetings? There was a leaked cabinet document when the NDP changed labour law, and do you know what it said? This is a Ministry of Labour document to the cabinet that was widely available in the early 1990s. It spoke of the government's view, and I quote, "to neutralize opposition from the business community" — shut them down; don't let them have their say. To talk about secret meetings and talk about this government being glib is quite another thing.

This member said that workers are somehow too dumb, that unless they have a university degree they can't find their rights and find their way through the Ministry of Labour system. I think that's insulting.

If you look at the collection rates, the NDP was the government that separated collections from the regular activities at the employment standards branch. After that separation, the collection recovery rate declined substantially. I invite the honourable member to stand in this place and tell this House what sort of collection rate he thinks is acceptable. We've got to do better for workers in this province.

Then we heard about the Workplace Health and Safety Agency. This agency was promised to be abolished by both this party and the members of the Liberal Party. As to this agency, the Provincial Auditor went in there and found the biggest spree of waste and wild spending he's ever seen. To say it's another attack on working people — it was to end the boondoggle — is just beyond description.

The member spoke about textbooks being 20 years old. All of a sudden, all these textbooks became old in the last 12 months. His government refused to tackle education financing, and I think it's important to put that on the record too.

I invite the member to stand in this place and tell us exactly what he thinks is an acceptable collection rate

from the Ministry of Labour. Stand in your place and tell us what you think would be acceptable.

The Deputy Speaker: The member for Hamilton Centre has two minutes.

Mr Christopherson: First of all, my thanks to my colleagues the members for Windsor-Sandwich and Sudbury East for their by and large supportive comments. I want to move to the two government backbenchers who stood in their places and made comments. First of all, to the cabinet wannabe who stood up and gave us his public cabinet interview, let me say to you that you and your colleague from Nepean are more concerned about defending moving to the privatization of collection agencies than you are about the other issues. Talk about what else you're doing in there.

Mr Stockwell: What is the collection rate?

Mr Christopherson: I'm not going to accept that, Speaker. I sat quietly and listened to you, Chris. I'm disappointed that you're not prepared to offer me the same respect.

This government in case after case, whether we're talking education that's not perfect but needs work or about tenant protection through rent control, uses the argument of perfection as the enemy of the good. The fact of the matter is that you're throwing up smoke-screens about where the problems are and offering up a solution that, when you look at it, is much worse than it was.

That's why I point constantly to the hypocrisy of the name of the bill. That's the kind of Orwellian double-speak game you play. You do it with rent control, you did it with health and safety — "Oh, we believe it's the top priority" — and then you systematically move to dismantle those things that are most effective in making the workplace safe.

To the member for Nepean, who is the parliamentary assistant to the Ministry of Labour, don't talk to me about what's insulting. I worked on the shop floor for over a decade. I punched a clock. I've been a union steward. I've gone through the ranks there. The fact of the matter is, no matter how you want to spin it, a lot of people don't know their rights because they don't understand the system. That's why they pay union dues, to make sure they do understand so that governments like this can't take them on and take away their rights. That's the way it happens.

Mr Stockwell: On a point of order, Mr Speaker: I noticed in the two minutes the member had to respond he was asked one question — what were the collection rates? — and I guess he didn't have time to get to it. I'm seeking unanimous consent from this Legislature to allow the member for Hamilton Centre to answer the one question he was asked.

The Deputy Speaker: It is not a point of order.

Mr Stockwell: Yes, it is. I'm looking for unanimous consent to give the member a chance to answer the question.

The Deputy Speaker: Is there unanimous consent? There is not.

Mr Stockwell: I just want to know if you know. You don't know.

The Deputy Speaker: I would appreciate the member for Etobicoke West coming to order.

Further debate?

Mr Joseph N. Tascona (Simcoe Centre): I'd like to join the debate by voicing my support for the Minister of Labour in the second reading of Bill 49, An Act to improve the Employment Standards Act.

This afternoon I speak to the section of Bill 49 which would require that unions and unionized employers use collective agreement grievance procedures to settle employment standards claims. It is my opinion that this requirement makes a lot of sense. In unionized workplaces, employees, unions and employers already use the grievance arbitration process to settle any disputes related to their collective agreement. It is their own process set up under the terms and conditions of their collective agreement. Employees are familiar with that process, unions know that process and employers know it.

Individual employees receive support and resources from their own union in pursuing their claims. Complaints are then heard by an arbitrator who is chosen by the mutual agreement of the union and the employer. As I understand it, most employment standards complaints in unionized workplaces already follow this route. The powers given to an arbitrator are very clear. I'll read that out under subsection 64.5(6): "An arbitrator or board of arbitration appointed under a collective agreement may, in his, her or its decision, make any order that an employment standards officer, an adjudicator or a referee can make under the act." The powers that are given are very meaningful and they're the same that a referee under the Employment Standards Act has.

1630

It only makes sense that parties use their own process to settle employment standards claims as well. Why should unionized workers rely on an unfamiliar process at the Ministry of Labour when they could use that familiar grievance arbitration process that provides them with direct assistance from their union?

Will these changes be good for workers and their representatives to use the grievance arbitration process? The answer is a resounding yes. Will it be good for employers? The answer is yes again. I believe this is a win-win situation for all concerned.

I'd just like to digress for a moment in terms of other changes that were brought in with respect to the union workplace.

A most significant change to the act will be an amendment to enable employers and unions to negotiate their own standards for hours of work, public holidays, overtime pay, vacation pay and severance pay. These standards may differ from those set out in the act as long as the new standards, as a package, provide greater rights and benefits than are found in the act.

Right now, a union can negotiate different public holidays and a lower severance package without having to balance it against anything else. These changes are going to allow a company to structure its operations with more flexibility, which is really important in today's environment, and will allow a union to more properly represent its employees in the changing environment.

With respect to the collective agreement process to resolve Employment Standards Act contraventions, I'd say at the same time that by using the grievance arbitration procedures, scarce government resources could be focused on the claims of those employees who are not represented by a union and have no alternative means available to them to pursue their employment standards claims. The amendments will mean that the unorganized employees will get better and faster service.

Non-union employees can decide at the outset whether they wish to file an employment standards claim with the ministry or take the matter to court. This prevents duplication and makes the process more efficient. Once these employees have filed the claim, they are allowed time to consult with a lawyer or reconsider their options before their decision not to pursue a court action is final. This is fair to all parties involved, and these changes also protect non-unionized employees who are faced at the present time with making a decision of whether to go to court or whether to file their standards claim. If they choose to go to court, then their standards claim is not even processed. That is not efficient and that's not fair.

In cases where the employee could be reinstated to his or her former position, employees will not have to make the choice whether to go to court or pursue their claim from within the employment standards process. Reinstatement can also be ordered when employees have lost their positions after taking pregnancy/parental leave or, in the case of retail workers, for refusing to work on a Sunday.

The legislation also reduces duplication so that resources can be used to assist those workers who need the help most. That certainly is true in the case of reinstatement, which is a valuable right in which there will be no choice made. The Employment Standards Act, with all its efficiencies and its enforcement mechanisms, will be used to provide those rights.

By no longer investigating and enforcing employment standards claims that are being addressed through other means, the Ministry of Labour can also eliminate duplication and make better use of resources, while encouraging self-reliance in the workplace. In short, this legislation will mean better and faster service for unorganized employees and it will also make it an easier and more efficient process for employers and employees as well.

The legislative amendments contained in this bill will make it easier to enforce the Employment Standards Act and easier for both employees and their employers to understand the act. For example, the amendments contained in Bill 49 will clarify an employee's entitlement to a vacation and vacation pay.

These amendments are also good news for working women, because Bill 49 clarifies pregnancy and parental leave to ensure that this period of service is included in entitlement to vacation and vacation pay. That is a very important area.

This legislation will allow us to streamline the Employment Standards Act to serve its original purpose, which is to provide efficient and effective standards that are easy and clear for employees and employers to understand. What we're looking at here is a change, an improvement to the Employment Standards Act. What we're talking about is meaningful standards.

In a situation that was pointed out in the *Lawyers Weekly* by Stewart Saxe of a leading Toronto law firm, "The core value of the changes is that they're going to allow a company to structure its operation with more flexibility, and that's really important in today's environment."

He states that the entire high-tech manufacturing sector is impacted by the Employment Standards Act, which is backwards and is not up to the reality of leading-edge technology. In this industry, employees at all levels are given substantial flexibility in their hours of work, allowing them to work perhaps 70 hours a week when things are busy or creativity is flowing, or perhaps as little as 24 hours per week when business is slower.

You need that flexibility in this era of technology and a world market when you have to compete. We cannot be straitjacketed by the changes that haven't been made in employment standards for over 20-plus years.

The present wording of the act in several sections, including that affecting parental leave and vacation pay, has resulted in confusion among arbitrators. Bill 49 addresses those concerns.

The Employment Standards Act, in its current form, is difficult to enforce. No one benefits when necessary legislation can't be enforced.

Bill 49 will also make it easier for employers and employees to resolve these disputes. No one benefits when the dispute resolution process becomes so bogged down that results may take years to achieve. That is one of the problems with the act as it currently stands.

I therefore give my full support to the Minister of Labour and the changes introduced to the Employment Standards Act. I firmly believe these changes will encourage employees, their unions and employers to assume greater responsibility for their own affairs and become more self-reliant.

The Acting Speaker (Mr Gilles E. Morin): Questions or comments?

Mr Gilles Bisson (Cochrane South): I listened with interest to the comments made by the Conservative member. It's obvious that the speechmakers at the Ministry of Labour have been working overtime trying to find out the correct amount of spin to apply to what this government is doing.

What the government is doing simply is — and I'd like you to comment on this — saying: "We're going to treat workers differently in the province of Ontario as it applies to the Employment Standards Act. If you're a unionized worker, you will be treated one way; if you're a non-unionized worker, you will be treated a different way."

You are saying that under the Employment Standards Act, for example, a non-unionized worker will have to make a choice up front: "Am I going to make a complaint?" Should an employer, for example, say, "I'm not going to pay you for a statutory holiday," you're telling the workers of this province: "What you've got to do is decide if you're going to go through the Employment Standards Act's provisions of making the complaint, and if for some reason that doesn't work out the way you think, you forfeit your right to go to court." It seems to

me you're taking away one of the basic rights workers are entitled to.

For unionized workers you're saying, "Take the entire cost of the process and download it on to the workers and their unions as well as the private sector employer," who in the end, by the way, has to pay half of the arbitration cost. What you're doing, again, is demonstrating under the Employment Standards Act that you've provided to download your responsibility, not only when it comes to law, but when it comes to the cost of maintaining employment standards in this province, on to the employers of this province.

The thing you should also realize — and this is what bewilders me — is that the government says: "We do this because if we say that unionized workers don't go through the Employment Standards Act and have to go through their collective agreement and eventually to arbitration, we'll save all kinds of money. Therefore, that's why we're doing it."

You should take a look at the stats. The reality is that there are very few workers in a unionized setting who actually utilize the Employment Standards Act as the grievance process. They normally do go through their grievance process. In a very few, limited cases, they go it on their own, but that is necessary to keep in place in order to make sure their rights are protected.

1640

Mr John O'Toole (Durham East): It's a privilege today to respond to the member for Simcoe Centre, whom I have a lot of regard for. Prior to being elected to the Legislature, he was indeed a labour lawyer. In fact, he's a very knowledgeable person. I know him to be such.

I guess technically you've got to recognize that the rhetoric we heard from the member for Hamilton Centre is more of the same. It's more fearmongering and more misleading and more frightening and terrifying the workers of Ontario. I worked with people in an industrial environment for over 30 years and they would all admit that clearly there has to be more of a balance back in the workplace.

Bill 49 does not alter minimum employment standards in Ontario. Quite the contrary to what was said by the member for Hamilton Centre, this really does bring fairness back into the workplace. In respect to the member's statement, we have to look at the administrative changes and the employment standards, and we have to allow the leadership, both union and management, in the workplace to be involved and accountable for the decisions they're involved in making. You can't have it both ways. A collective agreement is indeed that: It's a collective agreement; it's a contract between two forces. I think all we're trying to do is take out this other optional opportunity to be less self-reliant.

Really, Bill 49 is working at very easily trying to align us to be competitive with the other provinces. Much of what is in the current standards, as I said — there will be no minimum changes to the standards that we have, but we are bringing them in line to the other provinces of Canada. We all know that in the last 10 years Ontario has become uncompetitive. What people are looking for today is security and jobs. We have to create a balance in the

workplace where indeed fairness is what we're working towards.

Ms Frances Lankin (Beaches-Woodbine): I find the comments of the member for Simcoe Centre, particularly as amplified by the member for Durham East, quite interesting and in a way frightening. I believe, in fact they believe the comments they are making, that it indicates a lack of understanding of the important role the Employment Standards Act plays and has played in this province as a minimum set of standards governing workplace behaviour and conditions and working conditions and rights for some 5.8 million workers in the province of Ontario.

They concentrate many of their comments on unionized workplaces. I'm not sure what the current statistics are on the rate of unionization. I'd maybe ask the ministry officials to shake their head. It used to be around 30%, roughly a third. I'm getting an indication of yes. So we're talking about minimum standards that affect two thirds of the workers of this province that are being fundamentally changed here. Yes, there are some house-keeping changes, and those, the clarifications and others, we could readily agree to. We don't have a problem with those. But there are some fundamental changes to the basic rights of the two thirds of the workers in this province who are non-unionized, who have no one to speak for them, and there's not going to be an opportunity for this to be considered in light of the overall changes to the Employment Standards Act that the minister has indicated will be coming forward in the fall.

I hear the member for Simcoe Centre, again as amplified by the member for Durham East, talking much about competition both with other provinces and with US jurisdictions. I remember the days of debate around free trade. I remember the concerns raised by people in the labour movement that this would lead to a race to the bottom in terms of standards. This government is truly implementing that kind of agenda. It doesn't have to be that way. We can proceed with broadening our horizons and participating in the global economy while protecting the rights of workers. That's what we should be doing.

The Acting Speaker: Time has expired. Further questions or comments? The member for Algoma —

Mrs Margaret Marland (Mississauga South): Excuse me. Are we going in rotation?

The Acting Speaker: Yes, we are, and you are recognized. The member for Mississauga South.

Mrs Marland: It's all very interesting to me when we discuss the rights of workers, because I would like someday in this House, when any of us speak about the rights of workers, that we're talking about all people who work, not just the third of the workforce that is in unions.

Ms Lankin: That's what I was just talking about, the other two thirds.

Mrs Marland: I'm not responding to your comments, I say to the member for Beaches-Woodbine, because I have to respond to the speaker who had the floor.

The point is that in this place for the most part when we talk about anything to do with employment, everybody, particularly the third party, comes with a narrow focus. It may well be that the member for Beaches-Woodbine, to whom I can't respond, has a broader focus,

but the point is that when we look at the fact that a third of our workforce is unionized in this province and we're considering anything to do with safety in the workplace, I hope we all care about safety standards and employment standards for all workers in all workplaces.

When you look at safety standards, it's one thing, but when you're talking about employment standards and you're looking at all aspects of employment, it's terribly important to all of us, in my opinion, to represent our constituents equally, regardless of our own perhaps ideological focus, which sometimes, because of our particular philosophies, might be far too narrow on this subject.

The Acting Speaker: The member for Simcoe Centre, you have two minutes to reply.

Mr Tascona: I'd just like to address the comments of the member for Cochrane South. The Employment Standards Act has not been changed in terms of its core standards. All the core standards remain the same, and in reality what's happened is the standards for vacation pay and for pregnancy leave have been improved. I think the member would like that to happen, and in fact it has happened.

With respect to the procedure, yes, the procedure has changed but the reality in the real world is that any union would want to represent its members and would welcome being able to represent them under the collective agreement process. At any employment standards hearing, you will find a union there to represent the workers who are impacted by — be it a severance claim or be it for vacation pay in terms of its workers. In fact they will be there, so the changes with respect to the collective agreement are welcome changes.

With respect to non-union workers, the reality is that they make a choice between going to court or going to employment standards. We're making it possible for them to make that decision. If they go to the court alone, that's their decision. If they decide to rely on the government for the employment standards, they can do that also. These are procedural changes, and there are no substantive changes whatsoever.

The member for Beaches-Woodbine mentions the minimum set of standards. Yes, there is a minimum set of standards, but there has been no change. I think the change that is being brought to the union workplace in terms of the global package of benefits is something they would welcome to be able to negotiate. The negotiation process will benefit unions and employers in terms of making it more efficient not only to represent the workers in the unionized workplace but for employers to provide jobs and compete in the new technology.

I say that this change, the improvement to the employment standards, is long overdue and it's about time.

The Acting Speaker: Any further debate?

Mr James J. Bradley (St Catharines): I'm going to offer a few comments on this particular piece of legislation, which I think is premature. I think it's premature because the government, through the Minister of Labour and through the government House leader, has indicated that it is going to be proceeding with a white paper which will deal with labour legislation and the Employment Standards Act.

There's no question the Employment Standards Act requires a new look. We're in different circumstances in 1996. We haven't seen significant changes for some period of time, and I think all members of the House would welcome an open, public review of the Employment Standards Act. There's nothing wrong with that, and if it were a true and honest look at all aspects of it to see how we can best improve it, I think representatives of labour and business and others would be very interested in offering the government comments. That's why I think this bill isn't necessary at this time, because as a result of the white paper we will see the government come forward with its proposed changes.

1650

What I see happening in the Ministry of Labour, as I do with many other ministries, is that the Ministry of Labour is not going to have an opportunity to the job it would like to do or traditionally has done in this province. Because of substantial cuts, over 400 individuals who will lose their jobs in the Ministry of Labour and I think over \$40 million in cuts, it's quite obvious that the ministry will not be able to carry out the responsibilities it has had in years gone by.

Any one of us who has represented constituents over the years — and my 19th anniversary is coming up soon, on June 9, as I recall. I have seen over the years the number of people who are making complaints to the Ministry of Labour office increasing. The inability of the Ministry of Labour office, for instance in St Catharines, to deal with all of the concerns that are brought to their attention, by employees for the most part but I guess on some occasions by employers, is quite evident. It's quite evident that the waiting list is a long waiting list and that the amount of time taken to process the individual concerns that are brought to the ministry is indeed a very long period of time.

What we have required is a bolstering of the staff at the local ministry office, for instance in St Catharines, to be able to carry out those responsibilities, to resolve these matters in a much faster fashion than has been the case in the past. The people who are there work diligently on their files to be able to bring about the kind of redress that those who lodge complaints would like to see, but they are certainly limited, and now we see a further cut in the number of those people and in the resources they will have available to them. So that is clearly a step backward as far as most people in this province would be concerned.

We have inspectors, we have mediation officers, a number of people who play a very significant role in our society. We want to ensure that the workplace is a safe place. There are many options that come forward. The occupational health and safety agency was established under the Liberal government, as I recall, some period of time ago. There were complaints on both sides about how that operates. It wasn't as smooth as people would like it to have been, but there was probably an opportunity to improve upon that and maintain health and safety in our province, because of course it's a cost to both employees, in terms of a personal cost and a financial cost, and to employers and the province as a whole when we have people who are injured on the job. We wanted to ensure,

through the inspectors we had in the Ministry of Labour and others, that we limited that risk as much as possible. The government, by cutting, is in a position now of contributing to an increase in the number of accidents, as opposed to a decrease, and that's most unfortunate.

The Human Rights Commission, which is part of the Ministry of Labour, has also seen some significant cuts lately, including the St Catharines office. I recall that when the Premier stated in the House, along with the Minister of Labour but particularly the Premier, that the employment equity legislation brought forward by the New Democratic Party would be withdrawn, would be completely reversed by this government, he saw the Human Rights Commission playing a significant role, a much greater role in terms of dealing with those matters. Yet when it came down to it, the government has cut the Human Rights Commission across the province. Again, it is not fulfilling a promise; it's in fact breaking a promise when it does that.

I was not entirely enamoured with the legislation that the previous government brought forward in terms of employment equity, although it endeavoured to deal with some problems that were genuine out there. The idea of the old boys' club or nepotism taking place, particularly in the public sector but also in the private sector, ensured that many people in our society did not have the same advantage that others had of obtaining employment and of obtaining the opportunity to advance up through the ranks. So the legislation had as its goal something that was good. It was well-meaning legislation.

Where I think the quarrel came down was over the matter of whether we should establish — I hate to use the word "quotas," but I can't think of another word now; perhaps they were goals or targets that they were going to use. But the point I'm making in this whole matter, as I'm stared at by the member for Beaches-Woodbine, is that the Human Rights Commission was stated by the Premier to be the agency which could redress these problems when he withdrew that legislation, and that has of course not happened.

There was a program called POWA, a program to assist older workers, established in this province. It was a good program. I think it was a federal-provincial program. There were many people I felt sorry for over the years who lost their jobs and seemed to be at the end of the line when it came to compensation, when the company went bankrupt or somebody fled somewhere with the funds. The last person to get the money seemed to be the worker in the plant, for instance, if it was an industrial plant, or in the business. That program to assist older workers was a good concept. It has not been funded appropriately over the years and now it seems to be lost, although the member for Grey-Owen Sound has expressed his concerns about the fact the government has not been moving as it should on that.

There are problems for workers in our society. I look back at circumstances where people have lost their jobs. They turn 50 or 55 years old, they're turned out into the workforce and they don't have much of an opportunity today. I keep asking the question, where are the jobs that were supposed to be out there? Where are the jobs that free trade was supposed to provide for our society, for

our province, for our country? Where are the jobs that the unfettering of the corporate sector was to provide in our society? I haven't seen them.

Instead, what we are seeing in our society is downsizing, is increasing profits at the expense of employees. It makes us ask the question, where will people work in the future? I think profits are healthy. I like seeing companies make profits. When they're profitable, that means they are contributing to the economy. We always hope people are going to be employed when that's the case. In years gone by, when a company made considerable profit, what happened was that we expected we might see an expansion of the workforce. Everybody cheered that. They cheered the company on. The union people were happy with that; society was happy with that.

The difference today is that we're seeing companies making unprecedented profits while casting the bodies out into the street, because they need even more profits or because they want to improve their performance on the stock market. Very often that's only a temporary improvement that takes place on the stock market, and yet people lose their jobs.

We're seeing that happen in the newspaper business today. I raised a question with the Minister of Economic Development, Trade and Tourism about that matter and he chose to defend Conrad Black and the company, in this case, Hollinger. If you're a business person sitting here, you nod your head, on the government side, and say, "This is the way business works and you people in the opposition don't understand that and therefore you have to accept that." Yet I look at what happened in Saskatchewan, where Hollinger bought the Saskatoon Star-Phoenix and the Regina Leader-Post and a couple of other papers and the first thing they did, even though they were making money, was to cast the employees out into the street. Out came the axe for chops. There are people who actually applaud that. They think that's great. "Isn't this the way business should be?"

I don't think that is the case for most people. I think some of the Conservative members who have been here longer than others particularly would not rejoice in seeing their fellow citizens losing their jobs. As a society we have to address that problem. The Ministry of Labour has a chance through some of its levers to play a role in that, but I think our society genuinely has to address that problem or there are not going to be jobs for people out there, for people who honestly want to work, people who want to make a contribution to our society and yet are going to be denied that.

I look at the banks as another. People will say, "Aren't the banks an easy target?" Yes, I guess they are an easy target, but I look at them as they shrink the hours of service to people and install machines. These are people out there who aren't particularly highly paid — the tellers and others in the banking business aren't particularly well paid — but the banks' profits have increased rather substantially in very recent years, in recent months, and at the same time they are laying off hundreds and thousands of workers in this province. I don't think it's satisfactory that that is happening and I think we as legislators should speak out on those matters.

1700

There is the Retail Business Holidays Act decision that was made. Mr Speaker, I know you're interested in that, because it affects all communities in the province. The court has decided that it's not an acceptable act at this time and one of the courts has thrown it out. I hope the government takes advantage of the opportunity to appeal that, because that was an act that was reasonable. I didn't agree with everything in it. I don't agree with the concept of Sunday shopping, but I accept that it's there now and I suppose many of us, now that the stores are open, go into stores on Sunday. I didn't like that, but it happened; it was a transition. But at least the Retail Business Holidays Act allowed us the opportunity to close on the major holidays. I'm not going to be very happy when I see major retail stores in this province opening on Christmas Day, for instance. I don't think that's what many people contemplated happening. I simply inject into this speech the hope that the government will appeal that particular decision.

I know many people out there in the church community will be looking carefully at that. They have opinions on other subjects, and I'm sure they will have an opinion on that as well. Again, that helps workers in our society, as well as some of the small business people who simply don't want to stay open.

I'm also concerned about the downloading of the cost to unions and employers to which the member for Cochrane South referred in terms of the effect of this act. If the unions and the employers have to assume the cost which was previously a cost assisted by the Ministry of Labour, it seems to me we will place our businesses at a disadvantage, and surely that's not what the government wishes to do.

I attribute much of what's happening now to the tax cut. I guess members were wondering how I could possibly work the tax cut into this; the member for Etobicoke-Rexdale was waiting with anticipation to see how I could work the tax cut into this. Let me tell you how. I work the tax cut into it because the government is having to make cuts even greater than it had anticipated because it can't meet its fiscal targets unless it does so. That's because of the tax cut. The tax cut, as we all know, is an income tax cut. It helps those who are the richest and most privileged people in our province in terms of dollars. Those who are at the lower end, while they have a small benefit, will pay substantial increases in property taxes, which do not take into account a person's ability to pay, and individual service charges that you will see municipalities and others charging. They certainly will not be helped.

Because the government is going to have to borrow at least \$13 billion, pay \$5 billion in interest and increase the debt to in excess of \$22 billion over its term of office, it's going to have to find even more cuts than it probably felt were advisable in the first place. My friend the Minister of Agriculture, Food and Rural Affairs, who wishes to do the very best job with the resources provided to him, has fewer resources provided to him. His job is to defend the government, and he will tell you how he's going to use the resources he has in a better way. I

won't ask him to comment. But I do support a minister of agriculture in any effort he may have to obtain the necessary funds to carry out his responsibilities. I do that for all ministers. I see the tax cut behind this piece of legislation as well, and I find that must unfortunate.

What we need in labour relations legislation, employment standards legislation, is balance. First of all, I think the hearings we're going to have on this bill will be helpful because they will allow various people to make representations to the committee on matters related to this legislation and perhaps other legislation. We do need this balance. We do need this input. We do need changes. When an act is way out of date, we need some changes. The best way to do that is to bring labour and management and the public and political people together to try to find that balance. In some cases, governments have tilted the teeter-totter in one level; another government comes back and teeters it in another level. I think what we need is a balanced teeter-totter so that both labour and management can feel that they've had good input, that they have legislation everybody can live with, that leaves us competitive with others, that doesn't put us at the minimum standards but puts us at reasonable standards. I think people of goodwill in all sectors of our society see that as a goal.

This piece of legislation then, I say in my concluding remarks, is premature. I think parts of it which were clearly housekeeping probably would have gone through with a minimum of debate, probably one day's debate, if certain parts of this legislation had been withdrawn and included in the white paper the government is going to present. There wouldn't have been a problem in that regard. But it chose not to. It chose to characterize this as simple housekeeping and minor changes, and now we're going to have hearings across the province.

The government did learn a lesson when it got into its battle over, first of all, Bill 7 and then over Bill 26, that it is not possible, without a lot of adverse reaction, to ram legislation through the Legislature without having the kind of public hearings that are advantageous for all of us who are legislators to hear from both sides. Public hearings aren't just to hear from one side; they're to hear from both sides if there are two contentious sides, and perhaps from a multiplicity of sources. I hope that all legislation that comes forward, including labour legislation, will have that kind of consultative process that will be valuable to all of us.

I wish the committee well in its deliberations this summer and hope the piece of legislation that emerges will be an improved piece of legislation.

Mrs Marland: Mr Speaker, on a point of privilege: I would not want to let this very special occasion in the House pass, because we have with us in the members' gallery Tiana Jean Wildman, Bud's chosen daughter. It is such a thrill for all of us who have known about Bud and his wife choosing this beautiful little angel, and here she is and we can see her in person.

There are times when as colleagues the human part of our personal lives we all can share because we know that is the priority for all of us. We all have been with Bud and his family through the last several years, and this is a wonderful new beginning for their family.

It's also the member for Algoma's 50th birthday today, so we have a double celebration. He's here with Tiana, proving that he's 50 going on 21, I think.

Our best wishes and our love to you and your family, Bud, on this special adoption.

The Acting Speaker: It's not a point of privilege; it's a point of honour, I think. Happy birthday to our leader of the opposition. I remember 50 years old.

Questions and comments?

Mr Christopherson: I want to compliment the member on his thoughtful reflections on Bill 49. I think the government will see that, as much as there are two opposition parties across from it, on the issue of whether there needed to be public hearings, there is one voice.

As parliamentarians, there's a tradition of democracy and openness and input and opportunity for all to be heard on matters that might affect them, and it's clear to us on this side of the House that the government attempted once again to deny that process from taking place.

The best examples that we have of course are the anti-worker Bill 7, when they rammed through a brand-new Ontario Labour Relations Act without any public hearings at all, when indeed their only mandate was around the issue of Bill 40, which we took 18 months through the democratic process. Interestingly, the Minister of Labour, who was then the critic for labour in the third party, said that wasn't enough time. Eighteen months on Bill 40 was not enough time, it didn't allow adequate input, and yet this government saw fit, on Bill 7, which not only repealed Bill 40, but made dramatic changes and took away tremendous rights that workers had — they didn't campaign on that, they had no mandate for it — to ram it through without one minute of hearings, not one minute of public hearings. Of course they attempted to get the omnibus Bill 26 through in the final days of the previous session, ramping up into the Christmas season.

1710

With Bill 49, they attempted to do the same thing again, but they've been called on it and now there will be an opportunity for all to be heard. At the end of the day this government has to answer for these anti-democratic procedures they followed.

Mr Baird: I listened with great interest to the speech by my colleague the member for St Catharines. He spoke a little bit about the Ministry of Labour but not a tremendous amount about the bill we're debating here today. He mentioned the Ontario Human Rights Commission, which of course falls under my colleague the Minister of Citizenship's ministry.

The member for Hamilton Centre did mention that the two opposition parties stand united with respect to public hearings. I had a very long discussion with the member from Windsor, and we are equally enthusiastic about going across the province this summer on public hearings, I can assure you.

Mr Christopherson: Sure you are.

Mr Baird: I look forward to going back to Windsor. I had a very good, enthusiastic reception from a large group of citizens from Windsor.

The member opposite talked in his speech, though, about the Liberal position. In opposition they voted

against Bill 40, said they had to make changes to it, and then when we repealed Bill 40, they voted, with the exception of the agricultural relations part, against every single clause, which suggested there was nothing about Bill 40 that they wanted to repeal.

As well, the member opposite mentioned the Workplace Health and Safety Agency. We recall the red book — my friends from the New Democratic Party will remember this — talking about repealing it, scrapping it outright, and then they changed their mind.

He also mentioned the banks, the oil companies and so forth. We wonder why he won't go after the federal government on these issues. I come from Nepean — that's very near the nation's capital, Ottawa — and there are many rumours around Ottawa speculating about future Senate appointments. I can appreciate the member opposite might not want to burn any bridges in that regard.

Mr Bradley: You are right.

Mr Baird: That's certainly understandable, so perhaps that could explain some of the motivations opposite.

Mr Bruce Crozier (Essex South): I'd like to take a few minutes to support my colleague the member for St Catharines in his comments on this bill and also to mention that any time that we try and tinker with labour standards, it goes beyond just housekeeping and in fact goes beyond tinkering.

Minister Witmer and the Premier have both said that these are merely housekeeping amendments, and yet the Premier went on to say: "What we are doing is bringing in a number of minor changes, some of them housekeeping, some of them you might argue more than housekeeping." That's part of what we're doing today, arguing that these are certainly more than housekeeping.

One I'm particularly concerned about that goes far beyond housekeeping will allow employers and unions to negotiate standards for hours of work, public holidays, overtime pay, vacation pay and severance pay that may fall below the minimum levels established in the Employment Standards Act. It's that I'm most concerned about, because if unions and employers, particularly employers, are allowed to negotiate standards that are below the act, that's disturbing. The best way, in my opinion, to keep a balance is to have reasonable standards. If you consider them to be standards in the act, I don't think it should be allowed that you can negotiate below those standards. That's the point I wanted to make.

Mr Bisson: I want to commend the member for St Catharines, always on the left of his party and I guess a little bit closer to me in regard to where most issues need to be. I commend the member, because I can tell you that the left is in vogue. It will be returning soon to a neighbourhood near you. After a couple of years of having these Tory guys around, I think a lot more people will be looking at an alternative.

The ironic part about this legislation is, if I was in a situation now where there was an organizing drive going on in the workplace I was in, I would now sign a union card, because what this government has done is it has taken away rights of workers through various pieces of legislation, including what they're doing under the Employment Standards Act. What in effect you're

doing — in a way it's a bit of a help to the union movement in the sense that you're giving the union another argument why people should sign a union card — is that you're saying, "We're going to treat workers differently under employment standards based on if they're unionized or non-unionized." To put it simply, if the worker is at a unionized setting or the worker decides to sign a union card, that worker will be protected under the arbitration process, and the union has the dollars to be able to protect that worker's rights. In 90% of cases, that's what happened anyway under the old act.

What's different about what you're doing is that you're saying those workers who are not in a unionized setting are going to be losing rights because they have to make a choice up front: Do they want to go through the employment standards process, which will be much gutted not only through what you're doing here but under the reforms that you're going to bring next year? The ministry will also have less capacity to respond, because it will have less staff to be able to deal with it. If the worker can afford it, then that worker can go to court, but most of us understand that most workers can't afford to do that.

So I say to the government across the way, if there's anything in here that's a help to the union movement, it is that if I was in an organizing situation now where my employer was in the process of being organized, I would sign a union card on the basis of this, because it's the only way you'll be protected under the law.

The Acting Speaker: Thank you. Your time has expired. The member for St Catharines, you have two minutes to reply.

Mr Bradley: Thank you to the members for Essex South, Hamilton Centre, Cochrane South and Nepean for their comments. Ultimately I think what comes out of this is that the unorganized workers in the province will be impacted the most by this legislation. If unions and organized corporations negotiate agreements that lessen minimum standards, inevitably small and unorganized workplaces will be forced to follow suit, and I think that would be most unfortunate.

The member for Nepean, of course, as I read in the Toronto Star, is trying to work his way into the cabinet. It said that he was. The member for Etobicoke West, who is a good friend of mine, I notice is now defending the government position, and I'm going to try to help him get into the cabinet. I'll speak to the Premier for him. The member for Nepean also mentioned there was a seat in the Senate open. I wasn't aware of that, but I'm sure there will be a call coming to someone in the Legislature somewhere along the line in that regard. I'm not holding my breath until it comes to my office.

Ms Lankin: But you are available?

Mr Bradley: I have a job right now at this time and I'm enthusiastic about my present position.

Also there was a mention of, why do we not go to our federal friends? It's interesting how the government picks and chooses. Today the Solicitor General and the Attorney General — I'm sure because they truly feel this way, but also it's good politics — were out after the federal Minister of Justice on an item. So it was convenient for the government, except that when I asked the Minister of

Economic Development, Trade and Tourism not to defend the huge corporation known as Hollinger and the gas companies the other day, the huge oil companies, he clearly on behalf of the government took the side of the big companies, which I expected. But I hope that in this legislation you'll take all viewpoints into consideration, not just those of the corporate barons.

The Acting Speaker: Further debate? The member for Beaches-Woodbine.

Ms Lankin: I'm actually pleased to be following the member for St Catharines in this debate. I just wanted to say, in case anyone from Ottawa is listening, I'm sure if the call for that Senate seat came to his office, he would make himself available, as enthusiastic as he is about his current occupation and vocation.

Mr Baird: Maybe you should give his number.

Ms Lankin: Yes, he should have a 1-800 number: CALLJIM.

I'm pleased to have the opportunity to participate in this debate in the House. I believe this is a very important debate. I believe the piece of legislation that we have before us in the House is in a sense a bellwether or a warning of what is to come with the changes to the Employment Standards Act that will be coming forward in phase 2 of the minister's processes. We see her this summer introducing a white paper, a discussion paper for reform, which she indicates will be followed by legislative reform in the fall.

1720

In front of us now is a piece of legislation that I would argue has some very meaningful changes, some of those changes which should be included in the overall review so that we can see what the balance is going to look like at the end of the day.

I'm very concerned about the proposed changes. Let me make it clear from the beginning that there are in fact a few housekeeping changes and clarifications set out in this bill with which I have no quarrel and which I would, I think on behalf of my party, indicate that we could give full support to. But there are some very significant changes contained in this bill that give me great cause for concern.

We are talking about the Employment Standards Act. The Employment Standards Act sets out minimum standards affecting working conditions and a variety of issues, including things like hours of work, paid statutory holidays, minimum severance, minimum vacation, minimum leaves around parental leaves, a number of basic workplace provisions, things that many of us would take for granted. That piece of legislation covers virtually every working person in this province.

There are some 5.8 million to six million working people in the province of Ontario. You've heard much discussion here about the effect on unionized workplaces versus non-unionized workplaces. I will come to that in my contribution to this debate, but I do want to indicate to people that unionized workplaces make up about 30%, just under a third or so, of all working people in this province. So that's somewhere under two million. That leaves approximately four million people who are covered by this legislation who have no collective agreement, who

have no other way of protecting minimum working conditions than the Employment Standards Act.

So this legislation covers all working people and all workplaces. But particularly for those four million people who are not in a unionized workplace, who have no organized voice, who have no access to representation on their behalf to protect their working standards, their rights, their issues in the workplace, as Jonathan Eaton in the Toronto Star said today, the alarm bells should be going off for people right now in the province of Ontario. Because in a way that is not very clear to the public, in a way that has been described by the Minister of Labour and by the Premier and others, as I've heard Conservative members participating in this debate make reference to, as merely housekeeping, merely clarifications, merely minor changes — I don't believe that's a very fair representation of this bill. I am particularly concerned that this proceeds at a time when the public is not aware of it.

Excuse me. It's always awful to get a coughing attack in the middle of a speech, right?

My concern rests with some of the provisions I've referred to as being major changes to the Employment Standards Act, and I want to highlight some of those, if I may, and indicate why I believe they are more than housekeeping.

Mr Bisson: There's more water coming.

Ms Lankin: It's not water; it's a cold I have.

Mr Derwyn Shea (High Park-Swansea): May I ask if we could stop the clock for a second, Mr Speaker.

Ms Lankin: No, it's okay. Let me proceed at this point.

In addition to some of the comments that have been made by a previous speaker, there are a few key areas of the bill that I would like to highlight in particular.

First of all, the bill involves a reduction in the time limit to file a complaint from two years to six months. Now, what does this mean for ordinary working people? Why is this, in my view, significant as opposed to minor housekeeping?

Currently there is a two-year time limit on when you can bring forward a complaint. If you are a worker, and I indicate to the members opposite that most employment standards complaints, particularly of a significant nature, are brought forward by workers either after they've been fired or after — excuse me; I'm going to get cough candies and water sent to me. Thank you very much. It may not be possible for me to continue, Mr Speaker. I'm not sure what to do here. Just give me a second.

Mrs Marland: I move that we take a five-minute recess. We often have done that while we've waited for speakers to arrive, and I'm sure the member for Beaches-Woodbine —

The Acting Speaker: Is it agreed? Agreed. We'll take a five-minute recess.

The House recessed from 1726 to 1731.

Ms Lankin: I'm going to attempt to continue. I'm not sure whether my voice will hold. If it doesn't I might at that point ask for unanimous consent to stand down the remainder of my time. I'll ask my colleagues to assist me; if I end up in another coughing spell and can't get those words out, then they'll know what my intent is. I'm

armed with Kleenex, water and cough drops, so I will try to continue through.

I began talking about time limits. Let me continue on that point. The government's bill cuts back the current time limit within which a worker must file a complaint, which is currently two years, to six months. Why should this be of concern and why is this of significance, as opposed to simply a housekeeping amendment, as the government would want to characterize it?

For the majority of workers, particularly workers with significant complaints, with significant concerns about violations of employment standards, these are most often brought forward after a worker either has quit or has been fired from his or her place of employment. I ask the members to check into that and take a look at it.

I speak as someone who spent a number of years in the trade union movement representing workers and a number of years as a negotiator negotiating collective agreements to bring about standards that improved on the basic standards in the Employment Standards Act. Through that period of time I've had a fair amount of experience with how the act works, and how it applies to unorganized workplaces when we've gone in and attempted to organize them, and have seen some travesties of the way in which workers' rights have been trampled and of the way in which people have tried to seek redress through employment standards or have not been aware of that route or what route was available to them or how to go about it.

An arbitrary time limit of six months will deny justice to many workers in this situation. It's not as if this somehow brings about efficiency or streamlining or any other buzzword that the government caucus seems to be throwing around with respect to any changes they're bringing forward; what this does is set an arbitrary limit on when a worker can or cannot bring forward a complaint. If you become aware of how you could pursue your rights under the Employment Standards Act six months and two weeks after the event has occurred you're out of luck, under the new bill under the new Ontario Tory government, as opposed to the current two years.

I have been aware of cases in which workers did not find out the fullness of what had occurred in terms of their rights having been violated or how to proceed with that until longer than two years. Under the current act they were already out of luck, but you're cutting this back to six months, and I would argue that that's not only an arbitrary change but one that has nothing to do with efficiency. What it is designed to do is cut down on the number of complaints that will be brought forward or will be pursued. It is contributing to savings in the Ministry of Labour by cutting back on workload, and the only way it cuts back on workload is to deny workers access to the system, access to pursuing their legal rights, again, by setting a very arbitrary time limit on that.

Along with this time limit is this imposition of a maximum dollar amount in terms of what can be claimed. Irrespective of what the violation is, irrespective of what would be owing to a worker to make that worker whole in that situation and restore the worker's rights, irrespective of what the worker legitimately is owed or, let me

put it the other way, what the worker has illegitimately been cheated out of by an unsavoury employer in this situation, irrespective of that, you put an arbitrary maximum amount on how much that worker can collect.

That amount is \$10,000. For a lot of people listening, that may sound like a lot of money. They might wonder: Does that really cause a problem? Is there anyone who would be owed more than that? Is this an unfair burden? Is this simply some way of streamlining and standardizing and bringing the act in line with other pieces of legislation? No, it is not the latter, and yes, it does present a very unfair burden. Let me give you two examples of workers who are affected by these arbitrary changes in terms of the time limit and the maximum amount that can be claimed.

There was a press conference held a week ago by a coalition of people who were concerned about the changes the government is making to the Employment Standards Act. They brought forward some examples, and I'd like to highlight two of the examples for you.

The first was a story of a domestic worker. Domestic workers work in someone's house, usually doing either work with children, involving perhaps a nanny position, or some housekeeping duties. There could be a number of definitions around, but we're talking about someone who is working in a person's house, in home employment.

A woman was working for one employer for 17 months. She started that employment in 1993. She routinely worked 15 or 16 hours a day from Monday to Friday and also very long hours on Saturdays and Sundays. Her employer did not pay her on a regular payday. She did not receive a statement of wages. These are all provisions that are currently in the Employment Standards Act; I should make that clear. At the end of her employment with the employer, she was owed one month of unpaid wages. The employer also kept and controlled all of her documents, including her passport and her bankbook. During this period of time this worker was not aware of what her rights were, what protection she had under the Employment Standards Act.

I want people to understand that this is not an unusual circumstance, this is not an unusual case. I spent a number of years involved with some people who were very active in the women's movement in trying to reach out and help organize and bring together groups of women who were working in these domestic positions, because there routinely were violations of their very basic employment rights, not to mention in many cases other horrors we can talk about that people in this line of work were being subjected to in their employment situations. Certainly not everybody — I'm not making that case — but many; this is not an uncommon situation.

Once this woman did become aware of what her rights were and, with some assistance, tried to proceed through the Employment Standards Act to get resolution to her concerns, the employer disputed every claim she had made along the way and every statement she made. Fair enough, but in the end, and despite the fact that this was an extremely difficult case, the referee who had to sift through all of this information actually found in favour of the worker and she was awarded almost \$23,000 in

overtime pay and unpaid holiday pay — \$23,000 this worker was owed.

1740

Under this bill, first of all, the limit is \$10,000 and she will face a really untenable choice because your answer to me would be: "Well, \$10,000 if she proceeds under the Employment Standards Act, but she could choose to go to court because she's owed that much more. Why wouldn't she go to court?" Don't forget, we know she is owed this much money because she has in fact proceeded under the Employment Standards Act, has had all that work done in sifting through, a referee sorting through all this information and coming to a conclusion about the situation faced by this particular worker.

I don't know how you would expect this worker to be able to take her claim forward to a court of law. We're talking about a domestic worker, someone who has no economic security beyond the situation she faced, and I've already outlined for you how wages were held back and how her passport documentation and other things were withheld from her and held in trust of the employer at the time she was there. She's very vulnerable. I think you would all admit to that fact. This very vulnerable worker, you're suggesting, would have the means and the wherewithal to pursue her complaint through a court of law? Legal aid doesn't cover these things and she has no independent financial resources. How could she pursue this through a court of law?

Your bill is going to deny her and other workers who may be in that situation thousands and thousands of dollars that are legally owed to them. In this situation, it's an invitation for an employer under these kinds of circumstances to continue the abuse. You have limited the exposure of an unsavoury employer. I am not making the case that all employers in the province would proceed in this direction, but surely you know as you mutter under your breath, you've got to agree with me at least that there are employers who violate the Employment Standards Act. If there weren't, we wouldn't have the act, we wouldn't have the enforcement provisions that are there and we wouldn't have cases that have proceeded and been awarded in the worker's favour. We know there are unsavoury employers and those kinds of situations.

This is a licence that you are providing them, because you're limiting their exposure in terms of what they would be liable for. In almost every one of these cases you will find the worker in a situation of being marginal to the world of employment and/or vulnerable, like the worker I just described, with respect to visa and passport documents being held by the employer. You find people who are in a situation where it is very difficult for them to exercise their rights and where very rarely will they have the economic wherewithal to be able to pursue through a court of law to get all of what is owed to them. You must think about that. You must think about that limit you are placing on them.

Let me give you another example from the stories that were brought forward that day. This is the case of a garment homemaker. This is someone who sews, probably on a piecework basis is the way it's done, and does that at home and that goes off to some garment manufacturer. I think we all know stories of how that operates.

That work is parcelled out in large amounts and the person is referred to as a garment homemaker in that situation. This particular woman worked an average of 50 to 60 hours a week, sewing for a very well-known label by the way, and did that for more than four years.

Here's a situation where the current law already places an arbitrary sort of limit on what the worker could receive. Under the current law, she can only go back two years, even though she's been doing this for four. Now that she's aware of her rights and bringing forward a complaint, she can only go back for two years. That's the limit in the existing legislation. Within that two years it turns out that she's owed \$22,460. That money is legally owed to her. That money was illegally withheld from her. She was cheated out of that by the employer in this situation.

Interjection.

Ms Lankin: I don't know why it upsets you for me to use the word "cheated." It's been found through the process of employment standards that she was not provided with what was legally hers, therefore what was legally hers was withheld, therefore there was an illegal action on the part of the employer. They cheated her out of \$22,000-plus for unpaid wages, vacation pay and termination pay.

I make the point and acknowledge that if there were no limit, she would be owed much more than that. I don't know whether the numbers are the same average every year, but if this was two years you could maybe double it and say it could be as much as \$40,000. I don't know that to be the case because I don't know the hours involved in the two years that aren't covered under the claim.

Under the changes you are making under Bill 49 she can only collect for work done in the six months immediately prior to the claim she has put in. She's going to lose thousands and thousands of dollars. This is money she earned in long hours that she worked, sitting in her home sewing sleeves or pant legs over and over again, hours she put in that she's owed for that she won't be able to get.

What are her chances of hiring a lawyer to go to court? That's the alternative you've provided. Please understand that this limit you've put in has nothing to do with housekeeping, has nothing to do with efficiency. It is a licence to exploit beyond a limit of exposure and it is a ripoff of people who already have been proven to have faced violations of their rights by unsavoury employers because you have stopped them from having any effective recourse to reclaim the total amount owing to them. We have to ask what you're trying to do, because in these situations the people who are going to be the most affected obviously are going to be the most vulnerable of workers. Why would you allow that situation?

Many other provisions within the bill are very troublesome. There is a requirement, for example, that workers in unionized workplaces, the 30% of the workforce that is unionized, with a complaint with respect to a violation of an employment standards provision must proceed now, through their union, through a grievance procedure. I

have no idea why the government feels that is a fair way to proceed.

Let me tell you how it works in many unionized workplaces with respect to grievances and how they proceed. The unions' money only comes from the dues they collect from members of the union, by the way. This is the workers' money to provide representation for them on a whole range of issues. When a grievance comes forward, in many local unions there is a grievance committee that will sit down and take a look at all the grievances that have been filed and make a decision on which grievances to proceed with based on a whole range of factors. Sometimes local unions or even national or international unions don't have the resources to proceed on all grievances that would be possible. Sometimes they have to come to some decisions about what to prioritize and what to proceed with.

Why should the protection of basic legal rights which are in legislation as opposed to rights that have been bargained for in a collective agreement be thrown into the mix other than to download the cost of pursuing those kinds of claims in 30% of the workplaces, download those costs on to the workers' union dues they have paid centrally into their union? That is a cynical way to achieve your cost-cutting agenda.

There's another issue, and I think this one concerns me most of all: the issue government members refer to as achieving flexibility. This is where we can take a number of issues that are currently minimum standards. They are the floor of what all workers, irrespective of union or non-union, receive around issues of vacation and hours of work and a number of other things. Now, in a unionized situation, you're saying those issues can become bargainable. In other words, the employer can put on the table takeaways from basic, legislated, minimum standards as we know them today. The language in the legislation, some sort of fancy machinations of — but the overall package that you end up negotiating has to be at least as good as what the minimum standards are. You can have a bit more here, a bit less there, but you'll end up with at least as good as.

1750

Who is going to be able to make that judgement? We've asked that question of the Minister of Labour. She had no answer for how you could make that assessment or who was going to be responsible. How do you dispute that judgement? What is the benefit of higher severance versus less vacation? To whom is that issue more important and how can someone else judge what an effective tradeoff is?

I'm sorry to say this, but this is a sham that you should put this forward in the language of seeking flexibility and internal responsibility, greater responsibility for the workplace parties. This is nothing less than driving down the minimum standards of protection for workplaces in this province. This is nothing less than step one towards right-to-work legislation and provisions in the province of Ontario. The member for Durham East speaks to this every time he stands up in response to a speaker in the Legislature on this issue and says, "But we have to do this because we have to be competitive with other jurisdictions."

There are a lot of ways you can be competitive, sir. You don't have to be competitive on longer working hours. You don't have to be competitive on lower wages. You don't have to be competitive on violating workers' rights. You can be competitive on having a strong, healthy, well-educated workplace that is producing good, sound products. You can be competitive by having value added production, by bringing increased technology and innovation in your workplaces. There are lots of ways of being competitive.

What this government is about with the bill and the provision in this bill that's before us, with what you've done with respect to the Labour Relations Act, with your move to cut social assistance so that the poorest of income earners, social assistance income earners, have been depressed, then you freeze the minimum wage, then you take away the measure of pay equity for the lowest-paid women workers, all of that is to force down the wage rates to create a pool of unemployed, underemployed, low-paid people who are striving to find employment opportunities, competing with each other, and you enter into the mix flexibility to be able to bargain below the minimum standards that are contained in the Employment Standards Act.

Don't try and convince this Legislature or the people of this province that this is merely housekeeping. There is a sinister agenda contained in this piece of legislation. We know that you're moving ahead quickly with it right now because you have to get your cost saving out of the Ministry of Labour. You've already given 45 employment standards officers their layoff notices and you have to reduce their workload.

Even beyond that, this agenda fits with the direction you are going, which is to completely undermine the power and/or the effectiveness of trade unions in this province, to completely undermine the minimum standards protecting working people who are not unionized, to create a class of people who are underemployed, who are unemployed, who are poorly paid, who are competing with each other for jobs, all to serve your agenda which allows corporations to make more profit — not to be competitive, not to reinvest in the creation of employment, not to create the 725,000 jobs that you promised. We are seeing that promise evaporate on a daily basis.

None of these measures contribute to a healthy economy where working people have a sense of respect and dignity, a sense of what their rights are, a sense of a government that's prepared to protect them. None of this contributes to that. It contributes to your Common Sense Revolution, which has very little common sense as its basis. It contributes to your pals, to your buddies, to the wealthy. The rich get richer. It's an old cliché but it's true: The rich get richer, the poor get poorer. I'm very sorry to see this day having arrived in the province of Ontario.

The Speaker: Questions and comments?

Mr Christopherson: I want to compliment the member for Beaches-Woodbine on her speech. She clearly has pointed out, as we are all attempting to do, to the public that not only is this not just a misrepresentation in terms of the bill being housekeeping, but indeed it fits into a broader agenda and a broader plan, a political plan by

this government. The member for Beaches-Woodbine has articulated that very clearly.

I felt most strongly about her closing comments, where she put all of it in the context that this government is attempting to water down the rights of workers, water down the protection that's there, not because it believes it's going to help workers, but because it believes that's the only way we can be competitive. They see that word as being the be-all and end-all.

You know, what's ironic is that I don't think anyone in this House disagrees that we ought to be competitive. The question is, in what way do we want to be competitive? This government has decided we will be competitive at the lowest common denominator with those economies that have the least amount of protection and benefit to workers.

Instead, what we think ought to be done is a stronger enforcement of the rights that workers should have so that we can all benefit from the strong economy and the natural gifts we have from our geography and location and natural resources in the province of Ontario. It's wrongheaded to say that workers have to give up a decent standard of living, that we have to give up on our environment in order to be competitive. We can compete with any economy in the world based on value added and have decent paying jobs so that we can all benefit, not just the very few, your friends, who are the ones you represent.

Mr O'Toole: It's a privilege to respond to the comments made by the member for Beaches-Woodbine. Would that her voice had not lasted.

However, to address two points, I want to make it very clear that the collection aspect was one of the failures of the NDP system. Their decision to separate collection was devastating. The collection of those judgements that had been rendered had fallen substantially. If I may draw the member's attention to the act itself, the legislation, we're making amendments to ensure that collection will become a primary focus of these amendments or changes. I might add also that those delinquent businesses that should be punished will be addressed. The director is authorized to collect a reasonable fee, not the government paying to collect it. We're talking about collecting it; we're talking about delivering it to the workers.

I also want to look at the competitiveness question. I'm disappointed in the opposition, which doesn't have more confidence in its union leadership and in the leadership of the small business sector of Ontario. Indeed, the small business leaders and the union leaders are the ones who should be making the choices in the workplace. I draw your attention to the advantage this act will be giving. I'll read section 3 here: "A collective agreement prevails over section 58...of the act if the collective agreement confers greater rights relating to hours of work, overtime pay" — the point is that no less than the current standards will be achieved in the collective bargaining process.

We're talking about having the workplace parties make the decision in their workplace to be competitive and to secure jobs for the people of Ontario. We're trying to give the union leadership and the management team the opportunity to work together to create jobs for Ontario.

Mrs Pupatello: I would like to comment on the discussion provided to us by the member for Beaches-Woodbine. I congratulate her because what she has pointed out in particular in her closing remarks is that this is a discussion about an issue which is very much like what the government has done since it took office last June 8.

They have managed to capitalize on what is popular and what is marketable where the public is concerned. It's very comparable to the mantra they went through the election with — absolutely successful as a marketing strategy; a total failure when it comes to governing. A perfect parallel would be the discussion with workfare, such a sellable feature during a campaign; absolutely got you, the Conservatives, elected as a government.

What it ultimately means in terms of governing is totally unmanageable and unworkable, as many municipalities across Ontario are proving. What really does work is making opportunities available for people to get off the welfare system because they need to find real jobs, but what sells well, unfortunately, across the public, what is very populist, is just mantra, just statements.

When it comes to actually governing you'll find, as the Minister of Housing has recently found, that to say you're going to sell off the terrible public housing — he's finding a much more difficult job of it now that he's had to actually investigate. As quoted yesterday in Toronto's Sunday Star, he's got reservations and second thoughts, simply, people not lining up at the door to buy them. How very easy it was to waltz through a campaign with the mantra, the very public, easily marketable slogans and phrases that are totally unmanageable and impractical when it comes to governing.

What I can say in relation to this bill is that it does not meet the real needs, does not offer real solutions for workers.

Mr Bisson: I want to commend the member for Beaches-Woodbine on yet again bringing to light what this government is doing with employment standards. She says it quite clearly. What the government is doing is eliminating the level playing field that exists in workplaces across the province of Ontario on behalf of workers. What employment standards does is say that every employer in Ontario, regardless of if they're unionized or non-unionized, must offer minimum standards when it comes to hours of work, statutory holidays, level of pay and a number of other issues.

What the government is doing is twofold. It is saying that it will divide how it treats workers. If you are a unionized worker you will be treated better because your union will be able to protect you under your collective agreement; if you're a non-unionized worker, well, if you've got the bucks you can go to court. I don't know a lot of low-wage earners who can afford that particular option at the rates lawyers charge in this province, and the ability to go to legal aid has been taken away by this government.

The other thing it does is it allows, as the member opposite said, for the employer to try to make the situation of competitiveness of his organization better. By doing what? By taking away the benefits of workers. The employer will go to the worker and he or she will say:

"Sit down with me. I want to negotiate a lower standard with you. Rather than having overtime paid at 44 hours, as set out in the Employment Standards Act, overtime will be applied at 48 hours. Isn't that wonderful? That makes us competitive." That would allow them to be able to save the cost of their operation, but at what expense?

What you're going to do is pit worker against worker, employer against worker, and you're going to ratchet down by that premise the ability of workers to deserve the pay and the benefits they're entitled to under the act. I say shame to this government.

The Speaker: The member for Beaches-Woodbine has two minutes.

Ms Lankin: I want to thank the members for Hamilton Centre, Durham East, Windsor-Sandwich and Cochrane South for their comments with respect to my participation in this debate, and may I actually thank all my colleagues in the Legislature who facilitated a five-minute recess while I was having a bit of a coughing spell. That's why we're a couple of minutes past 6 o'clock and I truly appreciate that.

May I say to the member for Durham East in particular that in response he highlighted two issues. The first is the issue of collection. I agree with him that the backlog in collection was a significant problem, a significant issue for working people who had found themselves in a situation where their rights had been violated, and that had been proved through the employment standards

process with the referee. But I say to you, your fix isn't a fix. This is an ideological response: "Gee, we have a problem in the public sector. Let's privatize it." So you're going to go to private collection agencies. What do you think will happen when those workers face a private collection agency coming and saying, "Well, gee, you know, we can't get it all from the employer; why don't you take a little less," that brokering we know will happen in terms of taking less or X number of cents on the dollar?

If you're serious about fixing this backlog and if you're serious about this not being taken away from working people, then commit to an amendment in that area that will make it impossible for that to occur, that will not have a situation where workers will be faced with harassment to take less than the full settlement owed them by this private sector collection agency.

Secondly, you talk about no less than current standards would be negotiated. Says who? It says you can negotiate less here if you negotiate a bit more there, as long as the whole balance is at least as good as, but we don't know who's going to make that decision. If it's the member for Durham East, save the workers of Ontario. Let me tell you, this is not good for workers. Let me tell you, we will be voting against this bill.

The Speaker: It being past 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 1805.

**LEGISLATIVE ASSEMBLY OF ONTARIO
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Agostino, Dominic	Hamilton East / -Est	L	
Arnott, Ted	Wellington	PC	
Baird, John R.	Nepean	PC	parliamentary assistant to the Minister of Labour / adjoint parlementaire de la ministre du Travail
Barrett, Toby	Norfolk	PC	
Bartolucci, Rick	Sudbury	L	
Bassett, Isabel	St Andrew-St Patrick	PC	parliamentary assistant to the Minister of Finance, deputy government House leader / adjointe parlementaire du ministre des Finances, chef parlementaire adjointe du gouvernement
Beaubien, Marcel	Lambton	PC	parliamentary assistant (rural affairs) to the Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire (secteur Affaires rurales) du ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Bisson, Gilles	Cochrane South / -Sud	ND	
Boushy, Dave	Sarnia	PC	
Boyd, Marion	London Centre / -Centre	ND	
Bradley, James J.	St Catharines	L	deputy opposition leader, opposition House leader / chef adjoint de l'opposition, chef parlementaire de l'opposition
Brown, Jim	Scarborough West / -Ouest	PC	
Brown, Michael A.	Algoma-Manitoulin	L	deputy opposition whip / whip adjoint de l'opposition
Caplan, Elinor	Oriole	L	chief opposition whip / whip en chef de l'opposition
Carr, Gary	Oakville South / -Sud	PC	parliamentary assistant to the Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et du ministre des Services correctionnels
Carroll, Jack	Chatham-Kent	PC	
Castrilli, Annamarie	Downsview	L	
Chiarelli, Robert	Ottawa West / -Ouest	L	
Christopherson, David	Hamilton Centre / -Centre	ND	deputy New Democratic Party whip / whip adjoint du Nouveau Parti démocratique
Chudleigh, Ted	Halton North / -Nord	PC	
Churley, Marilyn	Riverdale	ND	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Présidente du Comité plénier de l'Assemblée législative
Cleary, John C.	Cornwall	L	
Clement, Tony	Brampton South / -Sud	PC	parliamentary assistant to the Minister of Citizenship, Culture and Recreation / adjoint parlementaire de la ministre des Affaires civiques, de la Culture et des Loisirs
Colle, Mike	Oakwood	L	
Conway, Sean G.	Renfrew North / -Nord	L	
Cooke, David S.	Windsor-Riverside	ND	New Democratic Party House leader / chef parlementaire du Nouveau Parti démocratique
Cordiano, Joseph	Lawrence	L	
Crozier, Bruce	Essex South / -Sud	L	deputy opposition whip / whip adjoint de l'opposition
Cunningham, Hon / L'hon Dianne	London North / -Nord	PC	Minister of Intergovernmental Affairs, minister responsible for women's issues / ministre des Affaires intergouvernementales, ministre déléguée à la Condition féminine
Curling, Alvin	Scarborough North / -Nord	L	

Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Danford, Harry	Hastings-Peterborough	PC	parliamentary assistant (agriculture and food) to the Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire (secteurs Agriculture et Alimentation) du ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
DeFaria, Carl	Mississauga East / -Est	PC	
Doyle, Ed	Wentworth East / -Est	PC	assistant deputy government whip / whip adjoint suppléant du gouvernement
Duncan, Dwight	Windsor-Walkerville	L	
Ecker, Janet	Durham West / -Ouest	PC	parliamentary assistant to the Minister of Community and Social Services / adjointe parlementaire du ministre des Services sociaux et communautaires
Elliott, Hon / L'hon Brenda	Guelph	PC	Minister of Environment and Energy / ministre de l'Environnement et de l'Énergie
Eves, Hon / L'hon Ernie L.	Parry Sound	PC	Deputy Premier, Minister of Finance, government House leader / vice-premier ministre, ministre des Finances, leader parlementaire du gouvernement
Fisher, Barbara	Bruce	PC	
Flaherty, Jim	Durham Centre / -Centre	PC	parliamentary assistant to the Minister of Consumer and Commercial Relations / adjoint parlementaire du ministre de la Consommation et du Commerce
Ford, Douglas B.	Etobicoke-Humber	PC	
Fox, Gary	Prince Edward-Lennox-South Hastings / Prince Edward-Lennox-Hastings-Sud	PC	
Froese, Tom	St Catharines-Brock	PC	
Galt, Doug	Northumberland	PC	parliamentary assistant (environment) to the Minister of Environment and Energy / adjoint parlementaire (secteur Environnement) de la ministre de l'Environnement et de l'Énergie
Gerretsen, John	Kingston and The Islands / Kingston et Les Îles	L	
Gilchrist, Steve	Scarborough East / -Est	PC	
Grandmaître, Bernard	Ottawa East / -Est	L	
Gravelle, Michael	Port Arthur	L	
Grimmett, Bill	Muskoka-Georgian Bay / Muskoka-Baie-Georgienne	PC	parliamentary assistant (tourism) to the Minister of Economic Development, Trade and Tourism / adjoint parlementaire (secteur Tourisme) du ministre du Développement économique, du Commerce et du Tourisme
Guzzo, Garry J.	Ottawa-Rideau	PC	parliamentary assistant (energy) to the Minister of Environment and Energy / adjoint parlementaire (secteur Énergie) de la ministre de l'Environnement et de l'Énergie
Hampton, Howard	Rainy River	ND	
Hardeman, Ernie	Oxford	PC	parliamentary assistant (municipal affairs – rural) to the Minister of Municipal Affairs and Housing / adjoint parlementaire (Affaires municipales – secteur rural) du ministre des Affaires municipales et du Logement
Harnick, Hon / L'hon Charles	Willowdale	PC	Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Harris, Hon / L'hon Michael D.	Nipissing	PC	Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Hastings, John	Etobicoke-Rexdale	PC	
Hodgson, Hon / L'hon Chris	Victoria-Haliburton	PC	Minister of Natural Resources, Minister of Northern Development and Mines / ministre des Richesses naturelles, ministre du Développement du Nord et des Mines
Hoy, Pat	Essex-Kent	L	
Hudak, Tim	Niagara South / -Sud	PC	
Jackson, Hon / L'hon Cameron	Burlington South / -Sud	PC	Minister without Portfolio (Workers' Compensation Board) / ministre sans portefeuille (Commission des accidents du travail)
Johns, Helen	Huron	PC	parliamentary assistant to the Minister of Health / adjointe parlementaire du ministre de la Santé

Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Johnson, Bert	Perth	PC	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la Chambre et Président du Comité plénier de l'Assemblée législative
Johnson, Hon / L'hon David	Don Mills	PC	Chair of the Management Board of Cabinet / président du Conseil de gestion
Johnson, Ron	Brantford	PC	
Jordan, Leo	Lanark-Renfrew	PC	deputy government whip / whip adjoint du gouvernement
Kells, Morley	Etobicoke-Lakeshore	PC	
Kennedy, Gerard	York South / -Sud	L	
Klees, Frank	York-Mackenzie	PC	parliamentary assistant to the Minister of Natural Resources / adjoint parlementaire du ministre des Richesses naturelles
Kormos, Peter	Welland-Thorold	ND	
Kwinter, Monte	Wilson Heights	L	
Lalonde, Jean-Marc	Prescott and Russell / Prescott et Russell	L	
Lankin, Frances	Beaches-Woodbine	ND	chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
Laughren, Floyd	Nickel Belt	ND	deputy New Democratic Party leader / chef adjoint du Nouveau Parti démocratique
Leach, Hon / L'hon Al	St George-St David	PC	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Leadston, Gary L.	Kitchener-Wilmot	PC	
Marchese, Rosario	Fort York	ND	
Marland, Margaret	Mississauga South / -Sud	PC	
Martel, Shelley	Sudbury East / -Est	ND	
Martin, Tony	Sault Ste Marie	ND	
Martiniuk, Gerry	Cambridge	PC	
Maves, Bart	Niagara Falls	PC	
McGuinty, Dalton	Ottawa South / -Sud	L	
McLean, Hon / L'hon Allan K.	Simcoe East / -Est	PC	Speaker / Président
McLeod, Lyn	Fort William	L	Leader of the Opposition / chef de l'opposition
Miclash, Frank	Kenora	L	deputy opposition House leader / chef parlementaire adjoint de l'opposition
Morin, Gilles E.	Carleton East / -Est	L	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Munro, Julia	Durham-York	PC	parliamentary assistant to the Premier / adjointe parlementaire du premier ministre
Murdoch, Bill	Grey-Owen Sound	PC	parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire du ministre du Développement du Nord et des Mines
Mushinski, Hon / L'hon Marilyn	Scarborough-Ellesmere	PC	Minister of Citizenship, Culture and Recreation / ministre des Affaires civiques, de la Culture et des Loisirs
Newman, Dan	Scarborough Centre / -Centre	PC	parliamentary assistant to the minister responsible for native affairs / adjoint parlementaire du ministre délégué aux Affaires autochtones
North, Peter	Elgin	Ind	
O'Toole, John R.	Durham East / -Est	PC	
Ouellette, Jerry J.	Oshawa	PC	parliamentary assistant to the Minister of Transportation / adjoint parlementaire du ministre des Transports
Palladini, Hon / L'hon Al	York Centre / -Centre	PC	Minister of Transportation / ministre des Transports
Parker, John L.	York East / -Est	PC	
Patten, Richard	Ottawa Centre / -Centre	L	
Pettit, Trevor	Hamilton Mountain	PC	
Phillips, Gerry	Scarborough-Agincourt	L	
Pouliot, Gilles	Lake Nipigon / Lac-Nipigon	ND	
Preston, Peter L.	Brant-Haldimand	PC	
Pupatello, Sandra	Windsor-Sandwich	L	

Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Ramsay, David	Timiskaming	L	
Rollins, E.J. Douglas	Quinte	PC	
Ross, Lillian	Hamilton West / -Ouest	PC	assistant deputy government whip / whip adjoint suppléant du gouvernement
Runciman, Hon / L'hon Robert W.	Leeds-Grenville	PC	Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Ruprecht, Tony	Parkdale	L	
Sampson, Rob	Mississauga West / -Ouest	PC	parliamentary assistant (financial institutions) to the Minister of Finance / adjoint parlementaire (institutions financières) du ministre des Finances
Saunderson, Hon / L'hon William	Eglinton	PC	Minister of Economic Development, Trade and Tourism / ministre du Développement économique, du Commerce et du Tourisme
Sergio, Mario	Yorkview	L	
Shea, Derwyn	High Park-Swansea	PC	parliamentary assistant (municipal affairs – urban) to the Minister of Municipal Affairs and Housing / adjoint parlementaire (Affaires municipales – secteur urbain) du ministre des Affaires municipales et du Logement
Sheehan, Frank	Lincoln	PC	
Silipo, Tony	Dovercourt	ND	deputy New Democratic Party House leader / chef parlementaire adjoint du Nouveau Parti démocratique
Skarica, Toni	Wentworth North / -Nord	PC	parliamentary assistant to the Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation
Smith, Bruce	Middlesex	PC	
Snobelen, Hon / L'hon John	Mississauga North / -Nord	PC	Minister of Education and Training / ministre de l'Éducation et de la Formation
Spina, Joseph	Brampton North / -Nord	PC	parliamentary assistant (small business) to the Minister of Economic Development, Trade and Tourism / adjoint parlementaire (secteur petites entreprises) du ministre du Développement économique, du Commerce et du Tourisme
Sterling, Hon / L'hon Norman W.	Carleton	PC	Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce
Stewart, R. Gary	Peterborough	PC	
Stockwell, Chris	Etobicoke West / -Ouest	PC	
Tascona, Joseph N.	Simcoe Centre / -Centre	PC	
Tilson, David	Dufferin-Peel	PC	parliamentary assistant to the Attorney General / adjoint parlementaire du procureur général
Tsubouchi, Hon / L'hon David H.	Markham	PC	Minister of Community and Social Services / ministre des Services sociaux et communautaires
Turnbull, David	York Mills	PC	chief government whip / whip en chef du gouvernement
Vankoughnet, Bill	Frontenac-Addington	Ind	
Villeneuve, Hon / L'hon Noble	S-D-G & East Grenville / S-D-G et Grenville-Est	PC	Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales, ministre délégué aux Affaires francophones
Wettlaufer, Wayne	Kitchener	PC	assistant deputy government whip / whip adjoint suppléant du gouvernement
Wildman, Bud	Algoma	ND	interim leader of the New Democratic Party / chef par intérim du Nouveau Parti démocratique
Wilson, Hon / L'hon Jim	Simcoe West / -Ouest	PC	Minister of Health / ministre de la Santé
Witmer, Hon / L'hon Elizabeth	Waterloo North / -Nord	PC	Minister of Labour / ministre du Travail
Wood, Bob	London South / -Sud	PC	parliamentary assistant to the Chair of the Management Board of Cabinet / adjoint parlementaire du président du Conseil de gestion
Wood, Len	Cochrane North / -Nord	ND	
Young, Terence H.	Halton Centre / -Centre	PC	parliamentary assistant (colleges and universities) to the Minister of Education and Training / adjoint parlementaire (secteur collèges et universités) du ministre de l'Éducation et de la Formation

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Mario Sergio, R. Gary Stewart, Joseph N. Tascona,
Len Wood, Terence H. Young
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Vice-Chair / Vice-Président: Tony Martin
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Gary Fox, Michael Gravelle, Bert Johnson, Peter Kormos,
Floyd Laughren, Gary L. Leadston, Tony Martin,
Dan Newman, Peter L. Preston, Lillian Ross, Bob Wood
Clerk / Greffière: Tannis Manikel

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Vice-Chair / Vice-Président: John Hastings
Ted Arnott, Rick Bartolucci, Dave Boushy, David S. Cooke,
Carl DeFaria, Tom Froese, Bill Grimmett, John Hastings,
Ron Johnson, Frank Miclash, Gilles E. Morin,
John R. O'Toole, Tony Silipo, R. Gary Stewart
Clerk / Greffière: Lisa Freedman

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Chris Stockwell, Bill Vankoughnet, Len Wood
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Steve Gilchrist, John Hastings, Shelley Martel,
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These lists appear in the first and last issues of each session and on the first Monday of each month. A list arranged by riding appears when space permits.

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CONTENTS

Monday 3 June 1996

MEMBERS' STATEMENTS

Municipal government	
Mr Miclash	3231
Women's March Against Poverty	
Ms Churley	3231
Mr Martin	3233
Optimist Clubs	
Mr Bob Wood	3232
Italian National Day	
Mr Sergio	3232
Education financing	
Mr Hampton	3232
Seniors' Month	
Mrs Johns	3232
Sacred Heart School	
Mrs Pupatello	3232
Occupational health and safety	
Mr Baird	3233

STATEMENTS BY THE MINISTRY AND RESPONSES

Environmental legislation	
Mrs Elliott	3233
Mr Bradley	3234
Ms Churley	3234

ORAL QUESTIONS

Minister of Education and Training	
Mrs McLeod	3235
Mr Harris	3235
Ontario Hydro	
Mrs McLeod	3236
Mrs Elliott	3236, 3244
Ms Churley	3243
National unity	
Mr Wildman	3237
Mr Harris	3237
Obstetrical care	
Ms Martel	3238
Mr Wilson	3238
Rent regulation	
Mr Kennedy	3239
Mr Harris	3239
Vehicle emission testing	
Ms Churley	3239
Mrs Elliott	3239
Young offenders	
Mr Jim Brown	3240
Mr Harnick	3240
Newspaper ownership	
Mr Bradley	3241
Mr Saunderson	3241

Family support plan

Mrs Boyd	3241
Mr Harnick	3242
Highway improvement	
Mr Gilchrist	3242
Mr Palladini	3242
Bail supervision program	
Mr Ramsay	3243
Mr Runciman	3243

PETITIONS

Family support plan	
Mr Bartolucci	3244
Long-term care	
Mr Laughren	3244
Municipal boundaries	
Mr Fox	3244
Non-profit housing	
Mr Kwinter	3244
Mr Newman	3247
Fiscal and economic policy	
Ms Lankin	3245
Highway 7A	
Mr O'Toole	3245
Rent regulation	
Mr Agostino	3245
Tax reduction	
Ms Lankin	3245
Mr Crozier	3246
Municipal liability	
Mr Jordan	3245
Health facility	
Mr Hampton	3246
Child care	
Mr Flaherty	3246
Nursing staff	
Mr Laughren	3246
Liquor Control Board of Ontario	
Mrs Ecker	3246
College of Teachers	
Mr Hampton	3246
Scarborough General Hospital	
Mr Newman	3246

FIRST READINGS

Environmental Approvals Improvement Act, 1996,	
Bill 57, <i>Mrs Elliott</i>	
Agreed to	3247
Education Amendment Act (Co-operation Among Boards), 1996,	
Bill 58, <i>Mr Wildman</i>	
Agreed to	3247

SECOND READINGS

Employment Standards Improvement Act, 1996,	
Bill 49, <i>Mrs Witmer</i>	
Mr Christopherson	3247, 3255, 3261, 3266
Mr Stockwell	3254
Mrs Pupatello	3254, 3267
Ms Martel	3254
Mr Baird	3255, 3261
Mr Tascona	3255, 3258
Mr Bisson	3257, 3262, 3267
Mr O'Toole	3257, 3267
Ms Lankin	3257, 3262, 3267
Mrs Marland	3258
Mr Bradley	3258, 3262
Mr Crozier	3262
Debate adjourned	3268

OTHER BUSINESS

Introduction of member for York South	
The Speaker	3231
Mrs McLeod	3231
Visitor	
The Speaker	3233
Notices of dissatisfaction	
Ms Churley	3244

TABLE DES MATIÈRES

Lundi 3 juin 1996

PREMIÈRE LECTURE

Loi de 1996 sur l'amélioration du processus d'autorisation environnementale,	
projet de loi 57, <i>M^{me} Elliott</i>	
Adoptée	3247
Loi de 1996 modifiant la Loi sur l'éducation (collaboration entre conseils),	
projet de loi 58, <i>M. Wildman</i>	
Adoptée	3247

DEUXIÈME LECTURE

Loi de 1996 sur l'amélioration des normes d'emploi,	
projet de loi 49, <i>M^{me} Witmer</i>	
Débat ajourné	3268



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Assemblée législative de l'Ontario

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Official Report of Debates (Hansard)

Journal des débats (Hansard)

Tuesday 4 June 1996

Mardi 4 juin 1996



Speaker
Honourable Allan K. McLean

Président
L'honorable Allan K. McLean

Clerk
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 4 June 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 4 juin 1996

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

TIANANMEN SQUARE ANNIVERSARY

Mr Dominic Agostino (Hamilton East): I rise in the House today to remember the seventh anniversary of the massacre of democracy protestors at Tiananmen Square in Beijing, China. It was seven years ago today that the butchers of Beijing ordered the murder and massacre of hundreds of students whose only crime was fighting for democracy. The brutality and magnitude of the military attack in 1989 is still very vivid in my mind seven years later.

Although Canada and the world expressed shock at the time, it is now business as usual with this regime in China. We continue to trade and have economic partnerships with a regime that totally and blatantly violates human rights. The Canadian government, Ontario and the other provincial governments across this country continue to deal with a regime that detains and murders democracy activists today.

That government yesterday arrested a woman for trying to place flowers at the site of the massacre. On Friday they jailed democracy activist Wang Xizhe for travelling outside of his restricted town.

Today in the House we remember the sacrifices made by the tens of thousands of students who risked their lives for democracy in 1989; we remember the hundreds of students who were killed. They were shot, crushed by tanks and tortured because they stood up for democracy.

It is a shameful day for that government. It is also a shameful day for the Canadian government and governments across this country that continue to deal with the murderers and brutal dictators in a regime that continues to go after people for simply standing up for democracy. It is a shame and a disgrace that we continue to do that in this country.

ARTS AND CULTURE

Mrs Marion Boyd (London Centre): I'm standing today in the House to talk about the great extent to which the arts and culture sector of our economy contributes to our prosperity here in Ontario. We have the very, very good fortune in Ontario to have many creative and fine artists, actors, musicians, those who work within the arts and culture sector. It's important that even though we acknowledge that quality of life is an important aspect of the arts and culture, the economy is as well.

Ontario's arts and culture sector generates over \$11.2 billion annually and creates 260,000 jobs. This is in addition to thousands of self-supported artists who exist within this province. The arts and culture sector is a growth sector. Even during the worst recession of this century, the number of jobs in Ontario's cultural industries grew, and that is a very important thing for us to remember.

The arts and culture sector is a very strong contributor to local economies. If we look at areas like Blyth, for example, in the county of Huron, the festival has a direct economic impact of \$1.6 million locally and an estimated total impact of \$2 million across a 50-mile radius.

So as we are thinking about our priorities as government, it's important for us to look at the arts and culture sector of our economy as an important part of our prosperity.

TORNADO RELIEF FUND

Mr Ted Arnott (Wellington): On April 20, a devastating tornado swept through the northern part of Wellington county, hitting the townships of Arthur, West Luther and Peel. In its wake the tornado left extensive damage to homes and farm properties. Preliminary estimates place the total damage at over \$4 million. Although many people had their properties insured, there is a considerable overall shortfall between what insurance will cover and the estimates we've received for rebuilding.

Thanks to the outstanding efforts of the township councils, the disaster relief committee and hundreds of volunteers, a fund-raising and cleanup campaign was set up. Without these generous and selfless volunteers, we could not have coped with the disaster we faced. I'm also grateful to the Solicitor General, who within hours of the tornado's occurrence personally visited the affected areas. His interest and concern is very much appreciated.

But much still remains to be done. Damage is extensive and repairs are costly. I have written to and on several occasions spoken with the Minister of Municipal Affairs and Housing, encouraging him to support the request by the three townships for funding through the Ontario disaster relief assistance program. I've also advised the Premier, the Minister of Finance, the Solicitor General and the Chair of the Management Board of Cabinet of the situation in Wellington and our need for financial assistance from the province. We need the help of our provincial government.

Financial donations from the public are also urgently needed. I want to encourage anyone who wishes to contribute to do so at any branch of the Royal Bank. Funds will be directed to the tornado relief fund for

Arthur, West Luther and Peel townships, Royal Bank branch 00202, account number 5013-479.

SEPTIC SYSTEMS

Mr Pat Hoy (Essex-Kent): I would like to address my comments to the Minister of Environment and Energy. Minister, I have it on good authority that you have now received the results of a study which you requested from Essex county MOEE staff on 30 partially raised septic systems in Essex. I understand the study shows that sewage is being effectively treated within these systems and it recommends approving them. Thousands of people in Essex-Kent and other ridings are awaiting your decision. Now that you have the results of the study, how much longer must they wait for the approvals?

Speaking of long-standing issues, residents near the Fletcher landfill site in my riding have been waiting many years for a decision from your ministry about the closing of the site. You told media in my riding two weeks ago that you knew nothing about it, but I have had several meetings with your staff and received letters signed by you regarding this problem. I even invited you to come and look at the site. So I wonder whether you have any idea what you are signing. More importantly, I hope you have now obtained a briefing so that you can discuss this issue.

1340

WOMEN'S MARCH AGAINST POVERTY

Mr Tony Martin (Sault Ste Marie): I rise today to expand on a statement I made yesterday regarding the Women's March Against Poverty which arrives in Sault Ste Marie tomorrow.

It's a march that will focus on, among other things, the fact that 1996 was declared by the United Nations as the Year for the Eradication of Poverty, yet ordinary Canadians are seeing their lives, hopes and futures collapsing as governments at all levels cut funding to social programs and job security is disappearing.

Women and children make up the majority of Canada's poor. Women across Canada, led by the National Action Committee on the Status of Women and the Canadian Labour Congress, have come together to organize the Women's March Against Poverty and social injustice.

The march started on the west and east coasts on Tuesday, May 14, and is headed across Canada to arrive in Ottawa by June 15, 1996. Under the banner "For Bread and Roses! For Jobs and Justice!" the march will focus on seven central issues: the need for a Canada social security act which will address federal standards, funding for women's shelters and centres, and a national child care program, among other things.

The western caravan will be stopping in the Sault on Wednesday, June 5. Many local women are planning activities to welcome the caravan and publicize the concerns of the marchers. There will be a gathering at the Civic Centre in Sault Ste Marie at 4 o'clock tomorrow. We will then be going to the Indian Friendship Centre and the soup kitchen. Everybody is welcome to attend.

POSTER CONTEST

Mr Jim Flaherty (Durham Centre): I have something special to share with the members of this chamber today.

The Speaker (Hon Allan K. McLean): Order. The sign is out of order.

Mr Flaherty: This fine poster being held by the member for Scarborough Centre states, "Bring an end to racism so that the children of tomorrow can live in a peaceful world."

It was the winning entry in a contest sponsored by the Durham Regional Police Service, the Durham Board of Education, the Durham Region Roman Catholic Separate School Board, the Northumberland-Clarington Board of Education and Hewlett-Packard of Canada. Students from high schools across Durham region entered the contest of their own volition in either the intermediate or senior categories and were judged in a process administered by the Durham police.

Whitby's own Peter Mishevski of Anderson Collegiate and Vocational School is the winner and designer of this fine poster for a very worthy cause. Peter is a student who is strong in the arts and is considering a career in the field of graphic arts. He was encouraged by his teacher, Lindsay Howlett, to enter the contest. His poster was reproduced courtesy of Hewlett-Packard, which also provided the grand prize for the best poster, a complete computer package.

The posters have been distributed all around Durham region. I'd be pleased to assist members and others in obtaining copies of this fine piece of work. I know my colleagues in the House today will join in congratulating Peter Mishevski on a job well done. Let's all join together to bring an end to racism so that the children of tomorrow can live in a peaceful world.

SENIOR CITIZENS

Mr Gilles E. Morin (Carleton East): On the first of this month the Minister of Health assumed lead responsibility for seniors' issues, including the coordination of Seniors' Month in June. As a former minister for senior citizens, I have great concern about how this government has slowly diminished its commitment to the wide-ranging needs of the elderly, quite apart from its initiative in long-term care.

The shift in responsibility for the broad range of seniors' issues to the Ministry of Health indicates quite clearly that what this government has done is adopted a sickness model rather than a wellness model in dealing with the concerns of so many dynamic participants in the life of this province.

Seniors' Month used to be an acknowledgement of the important role our elders play in our changing society. This year, funding cutbacks have limited the provincial government to simply encouraging the development of local themes in communities that may wish to celebrate Seniors' Month.

This may be a rational way to save some money, but I would like to advance a caution. Seniors are not a special-interest group. They are our own future. It would

serve us well to focus on how the older among us are now, and can better be, encouraged and supported to stay strong and vigorous contributors to Ontario society. I would ask this government to more thoughtfully review its commitment to the well, not just the vulnerable elderly.

NATIVE HOUSING

Mr Howard Hampton (Rainy River): Since 1987, the Frontier's Foundation received financial support from the Ontario Ministry of Housing to deliver a home renovation program which is geared towards the renovation of substandard residential units in off-reserve, Metis and native communities across northern Ontario. Unfortunately, this year the Conservative government ended any participation by Ontario in the Frontier's Foundation.

What a shame, because the reality of the Frontier's Foundation is that it promoted community volunteerism, promoted community involvement and promoted homeowners' sweat equity in terms of improving housing conditions in communities that are very impoverished. The funding translated into a much larger economic benefit to the homeowners, to the community in general and in particular to any local business in small, mostly rural and remote communities across northern Ontario.

From 1987 to 1994, 235 substandard housing units were improved through the Frontier's Foundation at an average cost of only \$7,800 per unit. It employed literally hundreds of people and was a real benefit to local small business, but now it's gone.

ITALIAN NATIONAL DAY

Mr Joseph Spina (Brampton North): I join my colleagues from the opposition, the honourable members for Dovercourt and Yorkview, and also on behalf of our fellow Italian members from our caucus, the members for Simcoe Centre, Ottawa-Carleton and York Centre, in celebrating yesterday, which was, as Italians know, our national day marking the foundation of the modern republic of Italy.

Italian National Day is a time when all Canadians can reflect on the tremendous and varied contributions to Canada made by Italians who made this country their adoptive home as far back as 1497. It was an Italian, Giovanni Caboto, or John Cabot as the English know him, who landed on the shores of Canada and claimed this land for the crown. In the 1640s the French were joined at their first settlement in what is today Ontario, Sainte-Marie Among the Hurons, by the Italian Father Giuseppe Bressani.

Thanks to Canadians of Italian background, Italian culture and traditions have been ably transplanted here to enrich the lives of all citizens of our country. I call the attention of all members of the House to what is perhaps an often overlooked example of this, that the majority of symbols and traditions that surround us here in this Legislature are historically derived from the legal, legislative and monarchic traditions of the Italic Roman Empire.

On behalf of the government of Premier Mike Harris, I would like to congratulate and thank our Italian Canadian community for all its contributions to Ontario and Canada.

STATEMENTS BY THE MINISTRY AND RESPONSES

AUTOMOBILE INSURANCE

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): Later today I will be introducing a bill entitled the Automobile Insurance Rate Stability Act, 1996.

With this bill we are delivering on our election commitment to repeal Bill 164 and make auto insurance work again in the best interests of Ontario drivers. This new legislation focuses on consumers by providing them with a fair, balanced and stable auto insurance system.

Last February Rob Sampson, my parliamentary assistant for financial institutions and MPP for Mississauga West, released draft legislation for review by an all-party committee of this Legislature that held public hearings across the province of Ontario. They listened to Ontarians, and today we are responding to Ontarians' concerns. I would like to take this opportunity to thank Mr Sampson for his hard work and delivering what I think is a first-class product to the people of Ontario.

We believe that our changes will provide the environment for healthy competition in the marketplace and stabilize premiums over the long term by strengthening consumer protection, taking aggressive action against fraud and uninsured drivers and restoring the right of innocent accident victims to sue. The plan we are introducing today will set reasonable no-fault accident benefit levels and provide strong tools to control fraud and overcompensation.

By reducing excessive treatment for auto accident injuries, the overall costs of the system will be lower for the industry to administer. We expect that these savings will be reflected in more stable rates for the consumer over the long term.

We have incorporated a number of new initiatives in this legislation to better protect the consumer. For example, the bill will establish a new insurance Ombudsman position to investigate consumer complaints. It will require insurers to offer discounts to retirees. It will make it easier for individuals to comparison-shop for auto insurance by making brokers more accountable to consumers and requiring them to disclose which insurers they have agreements with, the companies they obtained a quote from and the amount of each quote. It will allow insurers to offer optional benefit top-up coverages. This will provide consumers with the ability to customize their insurance plan to meet their individual needs. We will ensure that consumers with minor lapses in insurance coverage will not face significant premium hikes.

1350

This is a first step towards reforming the Facility Association. The government will work with consumers and insurers to revamp the Facility Association to make sure that only truly high-risk drivers are forced to seek coverage from this insurer of last resort.

Honest drivers pay the price for fraud through higher premiums. With this legislation, we are creating a separate offence for possessing and selling false auto insurance certificates. Fines will range from a minimum of \$10,000

to a maximum of \$50,000 for a first offence and these amounts will be doubled for a second offence. In addition, to reduce fraud and its cost, this bill will establish three new offences to discourage fraudulent claims by claimants, health service providers, auto body repair shops, the industry and others.

It is against the law in Ontario to drive without insurance, yet there are many uninsured motorists on our roads. Currently the fines for this offence range from \$500 to \$2,500. In many cases the fines are less than the actual cost of insurance coverage itself. To discourage this practice we are increasing the fines tenfold, to \$5,000 up to \$25,000 for a first conviction and \$10,000 to \$50,000 for subsequent convictions. In addition, people who are injured while driving or occupying their own uninsured vehicle will not be able to sue a negligent party for any damages.

In the next few minutes my colleague Al Palladini, the Minister of Transportation, will be announcing additional measures his ministry is taking to deter uninsured drivers and reduce insurance fraud.

This bill will expand the right of innocent accident victims to sue for loss of income and loss of earning capacity in excess of the no-fault benefit. Under Bill 164 there is no right to sue for income losses, and compensation is limited to no-fault benefits. With restored tort rights, fairness is brought back into the auto insurance system. People who suffer catastrophic impairments will now be able to sue for health care expenses in excess of the no-fault benefit of \$1 million. Seriously injured innocent accident victims whose injuries meet a threshold will be able to sue for pain and suffering subject to a deductible.

We will be introducing an auto insurance rate index. This index will be an objective measure that will be used as a benchmark for reviewing insurers' rate applications. We will also reduce the regulatory burden on insurers. This bill will enable them to make simplified rate filings with the Ontario Insurance Commission and to obtain faster approval if their proposed filing is below or at the regulated benchmark.

We believe that Ontarians want an auto insurance system that is fair, efficient and provides them with an end to the double-digit increases we have seen in the past few years. By making drivers responsible for their actions and restoring their right to sue for economic losses, we are providing Ontarians with a system that will work for them and put them back in the driver's seat.

Hon Al Palladini (Minister of Transportation): The Ministry of Transportation is pleased to support the legislation my colleague the Honourable Ernie Eves is introducing today. The insurance amendments proposed by my honourable colleague are supported by my ministry because they will be beneficial to all road users.

This legislation will reduce auto insurance fraud, help stabilize the cost of auto insurance and reduce the number of uninsured vehicles on our roads.

The part of this legislation that directly involves the Ministry of Transportation will require the insurance industry to report the auto insurance status of its clients. This means that if someone cancels their auto insurance or allows it to lapse and yet continues to drive, we will

know about it. When the police pull a vehicle over they will have up-to-date information available, information they need to keep uninsured vehicles off the road. As a result, this will reduce the insurance burden for all vehicle owners who now carry the cost of those drivers who do not have insurance.

We're supporting the Ministry of Finance in other ways. In the fall we intend to introduce legislation that will prevent fraud relating to wrecked and stolen vehicles. A new national system will prevent stolen, wrecked and unsafe rebuilt vehicles from being put on the road. This should significantly reduce the opportunities for this kind of insurance fraud.

As well, we will continue to look for ways to protect the consumer. We are working to improve the availability of the public driver record to the insurance industry. By making driving convictions easily available, the industry will have the information it needs to fairly and accurately price auto insurance. In turn, we hope this will benefit good drivers and bring their cost of auto insurance down.

We believe the combined efforts of the Ministry of Finance and the Ministry of Transportation will result in a significant improvement to auto insurance and road safety.

Mr Bruce Crozier (Essex South): It's my pleasure to reply to the statement of the two ministers today. I listened carefully to the finance minister and his remarks and at the same time I was thinking of what Mike Harris said in February 1990: "I don't believe in no-fault. The name offends me. I was brought up to be responsible for my actions and I think the court system and lawyers are necessary to protect victims. I take a look at the repair industry and the car industry." Then he went on to say, in February 1995, "A Harris government will return to a system based on the no-fault principle, living up to the commitments we made during the debate on Bill 164."

I believe that today we have a return, as the Premier said, notwithstanding that he corrected himself, to the no-fault system. But it's what I don't see in the remarks by the minister this afternoon that I would like to bring to the government's attention. I'm surprised that I don't see the repeal of the 5% sales tax on auto insurance, which would have been an immediate break for the hundreds of thousands of insureds in this province. I don't see any commitment in the minister's speech to lowering or holding premiums. During the hearings, we heard that the insurance rates may increase from 7% to 10%. The minister hasn't repudiated that here, so I hope we're not looking for increases of 35% to 40% over the next five years.

We listened to Ontarians, as the government did, because we, the opposition, were in those hearings as well. I look at the minister's statement where he says, "We expect that those savings will be reflected in more stable rates for the consumer over the long term." Well, Ontarians are tired of increased insurance rates. They not only want reduction in rates over the long term, they want reduction in rates over the short term.

Interjections: Now.

Mr Crozier: They want them now. This doesn't provide that.

They're going to establish an Ombudsman, and that would indicate to me that there's some concern about their confidence in their legislation. To hear the minister

speak, this was going to solve all the problems in the auto insurance industry in the province of Ontario, and yet they're going to create another body, regulatory or at least semi-regulatory, in that it's an Ombudsman who will look over the industry.

It says that they will promise reduced rates to retirees. I'm pleased to see that. It doesn't say that it's going to be to accident-free or retirees with accidents, so I should warn the retirees out there today that if you have had minor violations, minor accidents in the past couple of years, you're not likely to see a reduction in your insurance rates.

It's not only what the minister has said today, it's what he hasn't said today that we are concerned about and that we'll be looking forward to in the next few weeks hopefully at additional public hearings, because if this legislation has changed substantially from what was in their white paper, we think it's incumbent then that the government go to the public and that we have an opportunity for the public to comment on the actual legislation that this government proposes.

With regard to the Minister of Transportation's comments, we look forward to any move that will reduce the number of uninsured drivers on the roads in the province of Ontario. It would appear by his statement that it says when police pull over a vehicle they will have up-to-date information. Minister, with the technology that we have today, when an insured either cancels or has his insurance lapse, we think there should be immediate contact with the Ministry of Transportation of Ontario and that a cancellation or a suspension of a driver's licence and/or ownership for a vehicle should go out immediately. That will be the real way to get uninsured drivers off the roads and make our roads safer in Ontario.

1400

Ms Frances Lankin (Beaches-Woodbine): I have to say that it's very difficult to respond to this announcement today because basically there's been no information provided to the Legislature. I imagine when we see the bill this afternoon we'll be able to judge the minister's statement that they have in fact listened to Ontarians and are today responding to their concerns. I would have to say, from listening to the statements made in the House, that the vast majority of the concerns that ordinary Ontarians brought before the standing committee have not been addressed, have not been listened to, and in fact we're not going to see the government's main commitments lived up to.

Let me just highlight those again for people. The minister said today, "We believe that our changes will provide the environment for healthy competition in the marketplace and stabilize premiums over the long term," that they're going to take aggressive action against fraud and they're going to restore the right of innocent accident victims to sue. I want to highlight those because I believe perhaps the first part of the statement is true — they're creating a healthy environment for the marketplace — but I don't believe they're going to deliver on any of the others.

Let me take the first issue, which is on rate stability. We know that the government stated in the Common Sense Revolution and in the days after the election that

its goal was to ensure that there would not be continuing increases in automobile insurance premiums. When asked what that meant — "What does rate stability mean?" — the parliamentary assistant made it very clear in response to my question that he's talking about effectively no increase at all. Now we see in the paper that he's talking about doing some work to ensure that the trend line comes down. Well, that's very different than effectively no increase. I think we know the reason for it.

The parliamentary assistant and the minister released their discussion paper, their white paper on auto insurance, without having done the actuarial studies beforehand, and then got broadsided by the industry and found out that their proposals, with the reintroduction of tort and all of the contingency fees and lawyer fees, were simply going to reduce benefits for accident victims and increase the amount of money going to lawyers, and we would continue to see fees go up in the province.

What we have here is some minor tinkering and moving around of the pieces, at least as it's been announced today; no clear indication of how rates are going to be stabilized; in fact a repositioning on that commitment, a repositioning to say, "We're just going to bring the trend lines down." Not good enough, Mr Minister. We'll look forward to seeing the actual legislation and what's contained therein.

Then they talk about taking aggressive action against fraud — certainly welcome.

Interjections.

The Speaker (Hon Allan K. McLean): Order. Would the House come to order.

Ms Lankin: They say they're going to take aggressive action against fraud. While we certainly welcome the initiatives with respect to uninsured drivers, that's just a minor step. As was said by the fraud bureau, the people who have done the research into this, this bill just tinkers with respect to anti-fraud protection.

They asked for legislative guarantees that insurance companies would have to take on this issue of fraud, report their write-offs, not pass it on in the premium fees — that they would have to take some internal responsibility. We don't see any of that addressed here.

Of course, your commitment in terms of return of the right of tort really isn't a return of an improvement for accident victims; it's simply reintroducing lawyers into the system, the way in which you have tightened up and the way in which you have put limits on economic loss, for example, of 85%. You fail in all of the key promises you've made.

You also don't seem to address the issues of conflict of interest, the issues of access to rehabilitation for all the accident victims who we heard didn't get adequate access now. Your commitment to do something about Facility Association is not contained here. Once that's done, that's going to put upward pressure on premiums. No road safety initiatives. You didn't listen.

The bottom line is, if this bill doesn't have more in content than the minister's statement, you haven't listened. Don't expect us to comply with quick passage of this. This needs to have public hearings. This needs to be reviewed in a meaningful way. If you're going to do it and fix it again, get it right this time. Don't expect us to cooperate with a sham that is not going to stabilize rates.

The Speaker: Further response? The member for Welland-Thorold.

Mr Peter Kormos (Welland-Thorold): In these few seconds, I'm going to do my best.

It's a little bit of *déjà vu* all over again. I'm hard pressed to listen to a Liberal member talk about insurance reform when I recall, oh, so clearly, "Yes, I have a very specific plan to reduce auto insurance premiums." The fact is, David Peterson and the Liberals couldn't do it. The fact is that Mike Harris and the Tories aren't going to be able to do it either.

The insurance industry continues to have short arms and deep pockets. It's a greedy, voracious industry that will be allowed to continue to prey on drivers and innocent victims in this province. Let's face it, this government was as disinclined as any prior government to make the real reform, which is to create a public auto insurance system. That's the only way there's going to be fairness for drivers and justice for victims.

ORDER AND DECORUM IN THE CHAMBER

Mr Dominic Agostino (Hamilton East): Mr Speaker, I have a point of personal privilege before the oral question period starts. I want to raise a point with regard to the Speaker. It is an article that I believe ran in the *Ottawa Citizen*, the *Windsor Star*, the *London Free Press* and the *Hamilton Spectator*, among others: "Speaker Wants Fines for Unruly MPPs."

The part of the article that I believe my point of personal privilege is to, and I will quote right from the article: "Mr McLean said there are about five members in each party that cause the most disturbance. Among the worst offenders are Conservative Toronto-area MPP Chris Stockwell, NDP MPP Peter Kormos from Welland-Thorold, and Hamilton East Liberal MPP Dominic Agostino."

I believe that within this House, what we do in here and our behaviour in here is of public record. You as Speaker have the right and the authority within this House to rule members out of order and to simply eject members and do whatever you feel is necessary. But I believe it is inappropriate outside this House in a newspaper article to point out three members of this House for special attention, as you call it, for the type of behaviour. I believe as Speaker it was inappropriate, it was wrong, and you overstepped your boundaries outside this House by naming them in this article.

The Speaker (Hon Allan K. McLean): Order. I've heard your personal privilege statement. I don't agree with it. However, all members have been out of order. The member for Welland-Thorold.

Interjection.

The Speaker: No, you're finished. I've heard your point of personal privilege. I've heard it. The member for Welland-Thorold.

Mr Peter Kormos (Welland-Thorold): On a point of privilege, Mr Speaker, if I may: I want to tell you, sir, that I have no objection to being referred to in the superlative, but I do have colleagues in my caucus who resent not having been included in your comments. It's with a whole lot of effort that they've attempted to participate in what have been at times lively debates.

I do share the member's concern about the Speaker's public articulation, singling out people for this particular type of condemnation when at the same time the Speaker can refer to a general tone of unruliness. By singling out people, I believe, Speaker, that you've omitted certain personalities who deserve mention in the list that you referred to in the press. You have offended some of them, I'm sure, and I trust that they'll be speaking in due course to this point of privilege.

1410

It's understood that at times here the House becomes unruly; all of us understand that. I think what the House would expect would perhaps be some evenhandedness — dare I say it? — in the Speaker exercising his incredible and unique powers. Were that evenhandedness prevalent on a consistent basis with respect to all three parties and with respect to all the personalities in the House, the Speaker would not be in a position where he would feel compelled to give public exposure to but one member from each caucus and the Speaker might find himself in a far more comfortable position in dealing with the House that indeed is far more orderly and has a genuine respect for the authority of the Chair.

The Speaker: The member for Etobicoke West has a point of order?

Mr Chris Stockwell (Etobicoke West): Yes, Mr Speaker, listen.

I read that article as well after it was given to me by equally disgruntled members of my caucus, and frankly I was pleased that you completed a paragraph without a single "dem" or "dose." I guess what I'm suggesting to you is, if you're prepared to start commenting on the abilities and the workmanship of certain members in this House, then you had better be prepared to have them start commenting on your own.

The Speaker: Time for oral question period.

Mr Bruce Crozier (Essex South): Mr Speaker, could I respectfully request your consideration for — oh, maybe it is. Thank you. I was looking at the clock and I wondered if oral question period was going to have its full time allotment.

The Speaker: Do you have a question? It's time for oral question period.

Mrs Lyn McLeod (Leader of the Opposition): Mr Speaker, on a point of privilege that I believe relates to the privilege of all members, I would ask that you review a rather hasty response to the member of our caucus who raised a very real concern about your singling out members of this Legislature for public comment outside the Legislature itself. I have written to you, Mr Speaker, in response to your letter expressing concerns to each of the leaders about decorum. I hope you will see that my response to you is a sincere effort to make some suggestions that are constructive, but I really do think you need to step back for a moment and revisit your response to Mr Agostino.

ORAL QUESTIONS

AUTOMOBILE INSURANCE

Mr Bruce Crozier (Essex South): My question is to the Minister of Finance. Minister, I, like hundreds of

thousands of other Ontarians, have a safe driving record and I haven't had an accident claim in the last five years. Can you guarantee me, along with all the other safe drivers in this province, that our auto insurance premiums will not increase in the next year?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I think competition will determine, quite frankly —

Interjections.

Hon Mr Eves: I know that's a foreign word in an NDP caucus. However, I believe the product we will be introducing this afternoon by way of tabling legislation will address some of the problems that have arisen over the Liberal Bill 68 and the NDP Bill 164 with respect to auto insurance rates in the province of Ontario and I think that he will find that when this legislation comes into effect, safe drivers will be rewarded for safe driving and those who are at fault will pay, as it should be.

Mr Crozier: The question was, will I get reduced rates? In a release from the Common Sense Revolution dated February 9, 1995, it clearly says, "A Harris plan would reduce and stabilize auto insurance rates."

Minister, by not saying that my rates will be reduced, perhaps what you are saying then — I'll suggest this and you can comment on it — is that I will be paying more. I'd like the minister just to simply answer. You say, or imply, that perhaps auto insurance rates will be on the increase, even for safe drivers. If they won't be reduced —

Hon Mr Eves: No, I am not saying that; you are implying that.

Mr Crozier: Well, I'm going to give you the chance, Minister. If they won't be reduced and they won't be stabilized, how much do you expect they will increase for safe drivers in Ontario in the short term?

Hon Mr Eves: To the honourable member, they are indeed going to be stabilized. They will be reduced for some drivers, the safe drivers in the province of Ontario. I invite the honourable member to come to the media studio after question period today, and industry representatives will be there to answer his question very directly. I assume that after they do, you'll be back in the House tomorrow apologizing for your remarks.

Mr Crozier: Since everyone has heard the minister invite me to the news conference, and he also said that I could ask questions, which I think would be a bit unusual because I believe it's reserved for the press, why, I'd be pleased to come and ask some questions of him. But what you haven't said, Minister, and I'm going to give you one more opportunity to say it in the House before you go to a press conference, is to assure the people of the province of Ontario who have safe driving records that their rates will not increase, as your now Premier said in 1995.

Hon Mr Eves: To the honourable member, there will be representatives from the insurance industry there. When the press conference is over —

Interjections.

Hon Mr Eves: I would like to read to the honourable member, who has a very selective memory, exactly what the commitment was in the Common Sense Revolution, dated February 9, 1995.

"Key to the Harris plan are the following measures:

"1. The repeal of the NDP's Bill 164." Done.

"2. Setting weekly accident benefits at a reasonable level for basic accident compensation coverage." Done.

"3. Facilitating optional benefit 'top-up' coverage for those who choose it." Done.

"4. Restoring tort...for significant economic loss in excess of the no-fault benefit." Done.

"5. Modifications to payments for rehabilitation and medical expenses to differentiate between serious and less serious personal injuries." All five done; a heck of a lot better than a guy by the name of David Peterson, who had "a very specific plan" to lower auto insurance premiums in the province of Ontario. You have a lot of nerve even standing in this place and asking a question with your double-digit increased auto insurance premiums.

Mr Crozier: On a point of order, Mr Speaker: I would like to give the minister the opportunity to correct the record, because the document he's reading from says —

The Speaker (Hon Allan K. McLean): Order. He can correct his own record, but you can't correct it.

Mrs Lyn McLeod (Leader of the Opposition): On a point of order, Mr Speaker, before I place my question, and that is in reference to the fact that this is question period: To the best of my understanding, this is the forum provided by the Legislature for our members to place questions to the members of the government. For this minister to say he should come to a press conference at 3:30 because he doesn't have an answer today is offensive and unacceptable.

OBSTETRICAL CARE

Mrs Lyn McLeod (Leader of the Opposition): My question is to the Minister of Health. I want to return to the issue of care for pregnant women in this province. Minister, yesterday in response to the concern that was raised that obstetricians in Sudbury would no longer be taking new patients, you seemed to attempt to reassure pregnant women by suggesting that our emergency rooms are open and ambulances are on the alert.

This is an appalling, shocking response that shows a complete lack of understanding of the care that pregnant women need from the moment of their pregnancy. Surely you understand that what pregnant women need is ongoing care; they need regular checkups, they need regular blood tests, they may need periodic ultrasounds. There has to be that ongoing care to ensure that there is no unusual course of development in that pregnancy and that the expectant mother remains healthy throughout the term of her pregnancy. Without that kind of ongoing care, pregnant women and their unborn babies are in jeopardy.

1420

Are you suggesting, Minister, in the response you gave yesterday, that women should go to the emergency rooms of hospitals in order to get prenatal care? Are you suggesting that they should have to use hospital emergency wards to get ongoing care throughout their pregnancy?

Hon Jim Wilson (Minister of Health): We take the threat of the withdrawal of services very seriously and it

seems to me that the obstetricians who are threatening withdrawal of services are really doing pick-and-choose medicine. They don't mind doing the prenatal care, they tell me, or the post-natal care; it's just that when the big day comes, for political reasons to make a statement to the government, they're not going to deliver the babies. We've made a very generous offer to them, one of the only sectors I know of in our society today that was offered a raise, and they've declined that offer.

What I don't know is a couple of things. The government of the day disagrees with the job action being threatened by obstetricians. I don't know where the Liberal Party stands on this issue.

Mrs McLeod: I'm raising a concern that I believe is a very serious concern. Newly pregnant women in this province have reason to be very, very worried about their access to the health care they need. I'm not asking the minister to talk to me about his negotiations. I'm not asking him to repeat his accusations that physicians are blackmailing. I'm asking him as the Minister of Health to deal with the issue of concern for pregnant women who cannot get health care — just that. I'm not raising negotiations with you. I'm raising a concern that you don't seem to understand how serious this problem is as of today, when another part of your response yesterday was to suggest: "You don't need to worry. You don't need to worry about obstetricians not taking patients because we are training midwives and because family doctors" — some family doctors — "are still prepared to take on obstetrical care."

I hope, Minister, that you don't actually believe that that is a substitute for good obstetrical care. I hope you understand that you actually need an obstetrician if you're dealing with a high-risk pregnancy and that you need that obstetrical care throughout the pregnancy. I hope you understand that the obstetrician has to be there if it's going to be a complicated delivery, that the GP can't do that and won't do that, and the midwife is not trained to do that. I hope you understand that, because without obstetrical care, you as Minister of Health can provide absolutely no assurance to pregnant women that their complicated pregnancies or deliveries are going to be managed safely.

I ask whether you understand that the crisis you have created is as of today endangering the health and safety of pregnant women and their unborn babies.

Hon Mr Wilson: We are doing everything we can, including, if the crisis is caused by the debate over the malpractice insurance, we fully restored that insurance. So to keep heckling —

Mrs McLeod: No, you didn't.

Hon Mr Wilson: I did, in an offer last Wednesday night. At 10:30 at night I was told by the obstetrical association, "Not enough, not good enough," was the quote on the other end of the phone. So I don't know what else they want. We responded to their five points. It seems to be a bit of a political statement. We've asked the College of Physicians and Surgeons to monitor this because it is responsible for the licensing of these individuals, and I fully expect that obstetricians, with the offer on the table, will look after their patients and look after those women who have difficult births or difficult

pregnancies. I'll certainly want to be aware of the first obstetrician who refuses to look after a patient in this province.

Mrs McLeod: Minister, that is no answer to women. It is no answer to women who are pregnant today and who don't know if they're going to get the care they need. Minister, it is not a political statement for me to stand here and ask you as Minister of Health to take some responsibility to speak to women who are pregnant and who are not going to get safe care if this issue is not resolved.

You did create the crisis, Minister. All the words aren't going to change that. You created the crisis when you unilaterally withdrew that insurance without any kind of consultation at all. You created the crisis when in Bill 26 you made yourself solely ultimately responsible for setting the fees, which is why you're in there negotiating right now with the obstetricians. You made yourself responsible because you said in Bill 26 that you were going to give yourself the power to take over a hospital board. Well, you're going to need that power if you're going to take away admitting privileges, which is one of the other threats that you've suggested. You'll take away admitting privileges but you have absolutely no response to the women who need the care.

You talk about emergency rooms and you talk about ambulances and you talk about family doctors and midwives, and you won't deal with the reality that women who are pregnant and their unborn babies will be at risk if you cannot get off your high horse and resolve this issue.

Minister, I ask you to stop playing Russian roulette with the lives and the safety of women and their babies. Will you finally just put aside your game of macho brinkmanship for once and resolve this issue so women and their unborn children are handled safely?

Hon Mr Wilson: The Liberal Party went through this same threat from obstetricians 10 years ago in this province. This is history repeating itself. The Liberal health minister of the day threatened to withdraw hospital privileges. Guess where I got that idea from. I remember those debates when I was an assistant around here. This is not a new tactic on behalf of some of the specialists in the province. We've offered them more money. They're ahead of the money game. That has been our response.

Mrs McLeod: This is no response to the women who need care.

Hon Mr Wilson: I've also assured the women of Ontario that fearmongering shouldn't be part of this equation; that the backup system is there, including hospitals; that we are developing contingency plans to deal with someone withdrawing services. We've asked the College of Physicians and Surgeons to have a serious chat with these obstetricians with respect to their obligations under their specialty licence to fulfil their obligations, both moral, as part of their Hippocratic oath, and as part of their licensing requirements, to fully serve the women of this province.

This government is not abandoning the women of the province. That is clear in this issue. I don't know whether the NDP or the Liberal Party agree or disagree with the actions of the obstetricians. I disagree. The obstetricians

in this case are holding women to ransom over an issue of dispute with the government. I'd like to know where the Liberal Party and the NDP stand on this issue.

The Speaker (Hon Allan K. McLean): New question. The leader of the third party.

Mr Bud Wildman (Algoma): The NDP believes that the minister has created a crisis and now he doesn't know how to get out of it.

IPPERWASH PROVINCIAL PARK

Mr Bud Wildman (Algoma): My question is to the Attorney General. In regard to the Ipperwash issue, I note that apparently now all of the aboriginal people charged by police in conjunction with the incidents there have been acquitted.

In returning to the issue of what happened on the government's side, or did not happen on the government's side, we know that the blockade committee met on September 5 and, according to the minister's own briefing note, there was a suggestion that ministerial direction should be sought in connection with the occupation of Ipperwash park. The cabinet met on September 6. The blockade committee also met again on September 6. Could you tell us in this House if there were any discussions among politicians about getting the aboriginal protestors out of the park, in briefings or in informal discussions, after the occupation and before the shooting of Dudley George?

Hon Charles Harnick (Attorney General, minister responsible for native affairs): As I indicated last week, the discussion revolved around an explanation as to what had occurred at Ipperwash. To the best of my knowledge, in the meeting the member refers to and subsequently, there was discussion about legal options that might be available. There was a discussion and ultimately an attempt to obtain — and in fact it was obtained — a civil injunction to deal with the occupation and to hopefully peaceably end the occupation.

Mr Wildman: It appears that the Attorney General has talked about the blockade committee discussions, but he has not dealt with the question around the possibility of discussions among politicians or in cabinet. This, after all, was what the member for Lambton referred to as the largest police operation he'd ever seen in his constituency. He was apparently at the police command post the day of the incident, prior to the incident.

1430

Last week I asked the Premier to request the minister responsible for native affairs to investigate, to find out who, if anyone, said, "Get the" — expletive — "Indians out of the park." Subsequent to that, last week my colleague from Beaches-Woodbine asked the minister if he had looked into who made this offensive comment, but the minister did not answer the question. Let me remind the Attorney General that the Premier said, "I don't mind inquiring to find out if anyone knows if it happened," that is, if the comment was made.

Will the minister report to the House on what he has done to investigate who made this offensive remark, if it was made, and when it was made? Whom have you

asked? Whom have you checked with? What have you come up with? Why don't you report back?

Hon Mr Harnick: I can tell you I have no information as to the fact that remark was ever made. I have no knowledge that remark was ever made. In addition, I will say what I also said to the leader of the third party last week, and that is, this matter was dealt with by the Ontario Provincial Police. They dealt with it on the basis of their police practices. There was no political involvement in terms of what the police were doing at Ipperwash.

Mr Wildman: I wanted the minister to tell us how he investigated subsequent to the Premier indicating that he was quite happy to have the minister investigate.

We know that on September 6, Chief Bressette went on a Sarnia radio station to warn aboriginal people, specifically the protestors in the park, that it was his information there had been a meeting in the Premier's office and that an order had been given. Someone, somewhere, somehow gave Chief Bressette the idea that a decision had been made for a police buildup that would remove people from the park.

Mr Bill Murdoch (Grey-Owen Sound): You're dreaming.

Mr Wildman: Perhaps Chief Bressette was dreaming. I want to know how he came to be in this dream. He doesn't just go on the radio and make things up. He was worried there was going to be a confrontation. He had information. He had been warned. The question is, who gave him the information and where did that information come from? We want to know if there were any opinions expressed in the Premier's office or in cabinet or in other meetings, formal or informal, that could have been interpreted to give direction to the OPP to confront the protestors at Ipperwash. Where is your investigation? Will you not report to us?

Hon Mr Harnick: I will say again that there was no political direction whatsoever given to the Ontario Provincial Police. I will also say that those matters the member raises are subject to an investigation that the special investigations unit is undertaking. I believe it would be imprudent to deal with what might be part of an SIU investigation and which might well jeopardize any conclusions the SIU comes to. I'd advise the leader of the third party that this is a very real concern.

Mr Wildman: On a point of order, Mr Speaker: The minister knows full well that the SIU is not investigating political involvement; the SIU is investigating police action.

The Speaker (Hon Allan K. McLean): Order. New question.

SECURITY SERVICE

Mr Tony Silipo (Dovercourt): My question is to the Minister of Economic Development, Trade and Tourism. Today we read in the Toronto Star about a company in the United States, Vance International, that is planning to expand into Ontario to take advantage of the new business climate under the Mike Harris government. This company, whose president is former US secret service agent Chuck Vance, is planning to hire about 200 people

and believes much of his work will be in the greater Toronto area.

This particular company's employees come outfitted in body armour, helmets and shields. That's because their main business is providing security for scabs in the wave of violent strikes and lockouts that Mr Vance is expecting in Ontario. Mr Vance says that there was no need for his company under the NDP government when replacement workers or scabs were not allowed, but now, "If 'a plant continues to operate, then there is the potential for violence,' Vance said."

The only thing this company apparently is waiting for is provincial government approval for its application to operate a security service. Is this the kind of business climate the Mike Harris government is creating in Ontario?

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): I will refer that question to the Minister of Labour.

Hon Elizabeth Witmer (Minister of Labour): I'm pleased to respond to the question. I would simply like to indicate that this company has indicated that it is moving to the Ottawa community. They've indicated that part of the reason they're doing this is because they will be providing security service for diplomats. Part of their service also is in the prevention of violence on picket lines. They concentrate very heavily on the resolution of disputes before we have violence on the picket lines.

Mr Silipo: The reason I asked the Minister of Economic Development this question was because I wanted to talk to him about the business climate his government is creating. I'm saddened that as the minister responsible for that he chose to defer the question.

But since the Minister of Labour has taken on the question, let's talk a little bit about this particular company, because Vance International has put its expertise to use at such high-profile US strikes as Caterpillar Inc and the Detroit newspaper strikes. There's a photo in the newspaper today showing the company's expertise at dealing with the media; in this case, the Detroit newspaper strikes' violence on the picket lines. According to the article, Chuck Vance believes he would do a better job than the OPP riot squad which clashed with OPSEU strikers here on March 18. He's expecting picket violence to increase, creating a boom market for this type of service in the province.

Is Mr Vance right? Will this government's policies be creating hundreds of jobs for American scab protection companies to battle with Ontario workers, or will your government do the right thing and refuse to grant approval for this company to operate its strikebreaking service here in Ontario?

Hon Mrs Witmer: I think the member opposite understands and realizes that we have had a history of peaceful labour relations in this province. We do not anticipate that this is going to change, and we've already seen evidence of this. This was indicated to be a year where there might be some problems. However, we have seen labour and management deal with the collective agreements; we've seen them deal with the bargaining situation in a very responsible way this year. We've already had Ontario Hydro come to a resolution as to how it can resolve its dispute. We've seen the Toronto Transit

Commission resolve its problems, we've seen Kitchener Transit resolve its issues and we've seen Stelco.

I am confident that the employees and the employers in this province will continue to resolve their problems in a very peaceful manner. We're certainly seeing it this year. We're seeing as well new jobs being created as a result of the fact that we repealed Bill 40, we introduced Bill 7 and we now have an investment climate that has induced firms like Magna to come into this province and create new jobs. We've seen over 60,000 new jobs in the last three months. You never saw any job creation at all. There were fewer jobs in 1995 than there were in 1989.

Mr Silipo: The minister's answer tells me just how out of touch she really is with the reality that's going on out there, because if she wants to talk about peaceful labour relations, she need only look back at the days of Bill 40, when we had the most peaceful time in terms of labour relations in this province. That's a situation that's changing day after day with the actions of this government, because the record of economic damage from your government's provocative approach to labour relations is beginning to emerge.

1440

Because of your new labour laws, we're now seeing an encouragement of scabs. It appears, for example, that the Breeders' Cup may decide not to come to Ontario this fall, costing our economy many millions of dollars. This week we've also seen the numbers released for days lost to strikes and lockouts in the first four months of 1996. The total for January, February, March and April is 1.253 million days lost to work stoppages. Under Bill 40, not only did we have labour peace, but we also had the lowest number of days lost to strikes since the province started keeping records. At the rate you're going, Minister, 1996 will set the record for most days lost to strikes ever on record. No wonder you're going to need Vance International and companies like that to move into Ontario with their scab protection services.

But the question to ask is, is this what the business climate needs in this province? Is it really what good businesses want and need? When will your government realize that this provocative approach will not work and when will you stop the use of companies like Vance International as the way to deal with labour disputes in this province?

Hon Mrs Witmer: I would suggest that you take a look at the facts, and if you know the facts, you will also know that this is a year when many collective agreements come up for renewal. Obviously, we're going to see an increase in activity.

But I would indicate to you that at the present time we are continuing to see labour peace and we actually are seeing a situation for the first time in this province where we are seeing new jobs created for the people in this province. For the first time, we are seeing hope and we are seeing optimism. There is a feeling of confidence in the actions of this government.

TRUCKING SAFETY

Mrs Lyn McLeod (Leader of the Opposition): My question is for the Minister of Transportation and it

concerns the safety record of the trucking company that was previously owned by his colleague the Minister of Education and Training.

Yesterday the Premier referred to the government documents about the Minister of Education's former appalling safety record as something that may or may not be true. He also said that even if it was true, he didn't know whether it was a particularly bad or good record.

Minister, you have now had 24 hours to verify that the document I had yesterday was exactly what I said it was, a document issued by your ministry that sets out the abysmal safety record of a trucking firm while it was owned by your now colleague. I assume you have done that. I also assume you have checked the record of that same company prior to 1991, which was something your ministry was not prepared to divulge to us.

So, Minister, I ask you how you would characterize a company with a record that includes 107 convictions for safety violations, 28 accidents and 26 incidents involving equipment problems that were so severe that the trucks had to be pulled off the road. Would you not agree this is a company that has shown flagrant, repeated and reckless contempt for the laws of this province and the safety of its people?

Hon Al Palladini (Minister of Transportation): I believe that this government has done more for truck safety in one year than the previous two governments have done in the last 10.

I would like to remind the honourable member that as Minister of Transportation, it would be inappropriate for me to comment on any specific individual as far as their safety record is concerned. I want to say that the entire commercial vehicle registration inspection system is handled through our enforcement officers, so I have no direct contact per se for me to find out or any reason for me to find out about a specific individual.

We have hired more enforcement staff in the last year. We will be raising fines to make sure that truck safety is done.

The member is more interested in the past than in the present. I want to show and share with the members what this government really wants to do as far as safety is concerned. As far as the question the member has asked me about why we do not have, why they were refused, records past 1991, it was her government that authorized, that brought in legislation only for the last five years. Those records are not available, not because they weren't made available —

The Speaker (Hon Allan K. McLean): Order. Supplementary.

Mrs McLeod: Let me first of all assure the minister, if he's uncomfortable about commenting, that he's not only free to comment; that he is required to comment. These are public records of his own ministry. It's fair to ask him to comment.

If the minister would like to know how his officials characterized this record, I can tell him that they describe it as a very serious record. Since the minister wants to direct his attention exclusively to the past year and this government's commitment to do so much for trucking safety in the past year, let us focus on the record of this company, formerly owned by your colleague, in the past

year, a period when your colleague was minister and before he sold the company. The company continued to chalk up violations during that period, when the Minister of Education and Training was in cabinet and still had control of the company.

In the two-month period from June 26 until August 31, 1995, when Jarsno Equipment was sold, the company recorded two safety convictions and had two vehicles detained for faulty equipment. On August 29, 1995, a vehicle was detained because of poor tire conditions, the type of problem that has led to several deaths on our highways during the past few years. Since the minister sold Jarsno, the firm has been involved in four other accidents and convicted of eight safety violations.

You are aware that there are steps your ministry can take to force this company to clean up its act. It could bring out audits, warning letters; it could call the owners in for review; sanctions; and finally, it could cancel operating permits. Minister, you talk a good game; you were out talking a good fight at your photo op today. I want to ask you very specifically about Jarsno: What steps have you taken to deal with the appalling record of safety violations of this company when it was owned by the Minister of Education and, subsequent to that, will Jarsno be part of your crackdown?

Hon Mr Palladini: I say to the honourable member once again that the issue is not the record of one particular company or one driver but of all our roads: safety on our highways. This is the commitment we have as a government and that we want to do. We are going to maintain that commitment and do the things that are necessary, and some of the things your government was not able to do we're going to deliver. I wish I could add more, but I really can't; there's nothing else that I could add.

VEHICLE EMISSION TESTING

Ms Marilyn Churley (Riverdale): I have a question for the Minister of Environment and Energy. Today you gave a speech at the clean air summit at Metro Hall and, as you know, I was there to hear it. We had hoped very much that you would announce a mandatory vehicle emission testing program to protect our air, our water and our health. Unfortunately we were disappointed that you refused to do so.

Yesterday people in our province heard once again about the poor quality of our air. I would like to congratulate Pollution Probe for doing such a good job in providing information about the issue.

By now Ontarians know that car exhaust is part of our smog problem. They expect the government to act to protect human health. Minister, I'm going to give you another chance today. On the day of the municipal clean air summit, will you announce your intention to do the right thing? Will you commit to a mandatory vehicle emission testing program today?

Hon Brenda Elliott (Minister of Environment and Energy): I think the very last part of my colleague's question is particularly important; she said a "municipal air summit." This is a summit from people in this whole area, from various governing bodies throughout the Metro area and the greater Toronto area looking for solutions,

because they recognize this is a very complex problem. This is not an easy fix by a mandatory program, which you keep referring to all the time. You had every opportunity to do it and you chose not to. You put a voluntary program in place.

At that speech, I said we're looking for many solutions. That summit is about finding creative solutions to a very complex problem. It's not just Ontario's problem; it extends all across the country.

1450

Ms Churley: Minister, you're totally wrong. You have your information wrong. The NDP government brought in a voluntary pilot project with the full intention of turning it into a mandatory program. As you know, the time is now up for that program. The next step, which our government committed to, was to turn it into a mandatory program. What you have done is to extend it over the course of the summer, I guess to help get you through the difficult smoggy months of summer. The reality is that the time to do it is now. There's no excuse for turning back. You are the government now. It is your responsibility and your turn.

Minister, you know of the support from the Lung Association and Pollution Probe, but you might also know that such a program run by the private sector is also supported by the Motor Vehicle Manufacturers' Association, the Canadian Auto Workers and the Canadian Petroleum Products Institute. Most importantly, it is supported by Ontarians who want to have clean air.

What are you waiting for? For more people to die from bad air? I'm giving you another chance now before the Premier moves you out of your cabinet post. Stand up to him —

The Speaker (Hon Allan K. McLean): The question has been asked.

Hon Mrs Elliott: I'm hearing words from a colleague across the floor who was part of a government that would bankrupt this province, who has no understanding of the complexities of the balance between environment and economy. You only need to look at somewhere like the eastern bloc to find out what happens to the environment when the economy goes bankrupt.

With regard to a mandatory program, the program that was put in place as a voluntary program was one of the most expensive possible. It was intended to be part of a private sector program, but the way it's been set up to date is so expensive no private sector person could possibly take it on. What we're trying to do is figure how to make it practical, because in order for it to be effective it absolutely must work.

BUSINESS ASSOCIATIONS

Mr Douglas B. Ford (Etobicoke-Humber): My question is for the Minister of Economic Development, Trade and Tourism. Many of the businesses in my riding are represented by either the Canadian Manufacturers' Association or the Canadian Exporters' Association. These two business associations have long histories of assisting companies to expand their opportunities at home and abroad. Can the minister advise the House of any recent developments regarding the associations?

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): To the member for Etobicoke-Humber, I'd like to say I'm very glad he's asked the question because it is a very important subject, particularly when Ontario is now recognized as the most important province in this country as both a manufacturer and as an exporting province.

The Canadian Manufacturers' Association was formed 25 years ago and its mandate was to promote Canadian industries and to further the interest of Canadian manufacturers and exporters. Fifty-three years ago, the Canadian Exporters' Association was formed to promote Canadian international business and to advance the interest of exporters.

On May 30, 1996, these two respected organizations joined together. I know the alliance is going to operate very well and continue to serve in the finest tradition that its predecessors have done.

Mr Ford: What do you as Minister of Economic Development, Trade and Tourism think of the new association and its role in the business world?

Hon Mr Saunderson: I'd like to say that this is a very significant new alliance. It makes great sense for two great organizations to come together. It's in keeping with the new business culture that those people over there don't understand, and that is doing better for less. We're very pleased to also have the support of this alliance. They are supportive of our government's approach to doing business, and we'll certainly be supporting them as well.

MOOSE TAG LOTTERY

Mr Frank Mclash (Kenora): My question is to the Minister of Natural Resources and it involves the subject that we talked about at a meeting last August, that being the allocation of moose tags in the province of Ontario. The minister has received, as I have, many, many calls regarding the system, calls from resident hunters, outfitters and lodge owners, and the minister will realize how important the hunt is for its economic implications to northwestern Ontario. As I indicated, the minister has heard the problems as well.

Minister, the system, as you agreed, is outdated. It is an unfair system. I have a resident in my riding who has been looking for a tag for some 17 years and has been unsuccessful. At this time I would like to know what changes you plan to propose for the draw system coming up for this hunt.

Hon Chris Hodgson (Minister of Natural Resources, Northern Development and Mines): I appreciate the question from the member of the opposition. The fundamental problem here is we have more hunters than we have moose and that's a fact of life. I wish there was a simple, easy answer to this.

I hear a member from the third party saying that he's been elected on this issue for five consecutive elections. I can tell you, if there's an easy answer to it, we'll find it. All we can do is maybe set up a process to re-examine this issue. We've done counts this year to try to get the actual numbers for a moose area. We're going to have to have some consultation with the affected groups. The

system itself was set up, I think with the best intentions to be fair, with a lottery system. If it needs to be changed, we're open to suggestions.

Mr Miclash: I understand that we have more hunters than we have moose, and that's the reason I'm asking the question, because we also have a draw system. The minister very, very clearly made a commitment to me last August that the system would be reviewed, that there was a need for change. The minister, in the election document *A Voice for the North*, indicated during the campaign: "Hunting and fishing are an important of the northern lifestyle, a fact that is often lost on government bureaucrats in the south."

Minister, you know that the deadline for applications was on May 15. The applications are in your office; the hunters are waiting. What I'm looking for is what I can tell them about the new draw system that you suggested we needed in this province. What can I tell the person who has gone without a moose tag for the past 17 years? What can I tell the outfitters who are looking for the tags that will ensure that the economy of northwestern Ontario will get a positive experience from the hunt this fall?

Hon Mr Hodgson: As I mentioned earlier, the moose draw presently is done on a lottery system, and there are different pools; so the person who hasn't got one for 17 years is extremely unlucky. That's the honest answer, you can tell him.

What I can tell you about the changes that should happen is that you can become involved in a process this summer for consultation on it. Maybe we'll set up another pool for people who haven't received it for a number of years, or other options to try to make it fair and equitable and also help the economy of northern Ontario. We'll set that process up this summer. It's a complicated issue; there's not a quick fix to it.

1500

FOREST FIREFIGHTING

Mr Floyd Laughren (Nickel Belt): It's with some trepidation that I have a question for the Minister of Natural Resources. My question to the minister has to do with a decision he announced I think about six weeks ago about the closing of fire bases all across northern Ontario — not in his own riding, I might add, but in other parts of northern Ontario.

At the time we questioned the minister's judgement, and a lot of other people did as well, because we don't believe you can close that number of fire bases and adequately protect the forest resource in northern Ontario. We also have concerns about the safety of firefighters and communities in those remote areas.

Now it looks as though our concerns were justified because of reports coming out of Gogama, which happens to be in my own constituency, that some MNR crews spent more than 24 hours fighting a 130-hectare forest fire near Shining Tree, which is also in my constituency. They ended up coming out of the bush to Gogama, where there used to be a fire base, to use the phone because they were unable to make radio contact to call for backup help; it wouldn't reach Timmins. Furthermore, the crew had not even been fed for 24 hours.

Can you assure this House that there are no crews out there fighting fires with no radio contact and will you admit that your decision to close all those fire bases, such as the one in Gogama, was a mistake?

Hon Chris Hodgson (Minister of Natural Resources, Northern Development and Mines): I can check into the specifics of the question. I'm assured that this plan will work. If there's an emergency fire situation in a remote area where there was a work station before, we'll be able to take advantage of that, but when there are not fires around, we won't be staffing the people to reside there and to ship equipment back and forth.

I'll check out the specifics on your allegation that the fire crews had to come out and use the phone and that they weren't fed. I'll check that out.

Mr Laughren: The issue has been all across the north for the last number of days. I'm astounded that the minister doesn't know about this.

We've had reports that equipment which was needed to fight that fire and which would normally have been in Gogama, where the fire base was, had to be airlifted from Sudbury to Timmins and then trucked back to Gogama. It's a farce and it would be really funny if it wasn't so serious, but it really is ludicrous. On this issue you have raised incompetence to an art form. That's how silly it has become.

As well, you've now hired back, we understand, people you had laid off just three weeks ago, hired them back on contract to help fight fires, so they're not as surplus as you seemed to think they were. The people who are hired to fight fires — and I wouldn't take advice from the Chair of Management Board, if I were you. What he knows about fighting fires you could write on the head of a pin.

The people and the equipment —
Interjections.

Mr Laughren: I know the Tories are very sensitive about this.

The Speaker (Hon Allan K. McLean): Would the members come to order. I can't hear the member's question.

Mr Laughren: Mr Speaker, they're your colleagues, not mine. They're not my colleagues, they're yours, so you deal with them.

Interjections.

Mr Laughren: I think the clowns have taken over, Mr Speaker.

The people and the equipment that we need to fight fires need to be strategically located, not riding around in airplanes and pickup trucks, because that's exactly what's happening. You've created a mess. It's your mess; you created it. You have to solve it. I'm asking you now, will you put your ego aside and revoke the order that you issued a few weeks ago to close those fire bases?

Hon Mr Hodgson: The plan that was outlined and announced a few weeks ago was intended to save \$4 million on the operating dollars. At that time what we committed to do was, if there was a heavy fire season or a need, we would make sure the resources were there to meet that demand. It's a very serious issue. You've mentioned how we brought staff back to meet the demand.

I want to tell you that \$4 million in savings might be minor to previous budgets, but that's a significant saving and we can still deliver a quality service. If there need to be improvements in it, I can assure you that ego or other things won't stand in the way of that. We're always looking to improve upon how we deliver government services, and we'll take a look at that.

ONTARIO FILM INDUSTRY

Mr Dan Newman (Scarborough Centre): My question is for the Minister of Citizenship, Culture and Recreation. All over the streets of this city you can see the long lines of white panel trucks, tractor-trailers and cube trucks. Film production season is under way in this province, and by the looks of things business is thriving. What is the government doing to ensure that this business stays in Ontario and continues to provide good-quality jobs to the people of this province?

Hon Marilyn Mushinski (Minister of Citizenship, Culture and Recreation): I'd like to thank the honourable member for Scarborough Centre for that excellent question. By introducing a refundable film and tax credit in the budget, as announced by the Honourable Mr Eves, our government is demonstrating its commitment to the film and television production industry in this province.

This morning I had a breakfast meeting with more than 60 key leaders from the television and film production industry. Those industry representatives are most excited and committed to a viable and healthy film and television industry for this province. As well, they are committed to working with this government to find ways to make this industry a leader in the economic recovery of this province.

The refundable tax credit is based on a percentage of the project's eligible labour expenses and eligible production financing. It is estimated that in its first full year of operation the tax credit will inject \$15 million back into the Ontario film and television production community.

This tax credit system is based on our belief that government should reward initiative. We're moving from simply providing cash grants and writing cheques to a permanent job creation —

The Speaker (Hon Allan K. McLean): Wrap up your answer. Supplementary.

Mr Newman: What role will the Ontario Film Development Corp play in the development of this tax credit?

Hon Ms Mushinski: The OFDC will play a key role in administering the tax credit, as well as developing program objectives. This will include the development of criteria measurements, certifying eligible applicants and productions, and verifying labour and production expenditures. The Ministry of Finance will be responsible for administering the eligible applicants' tax filing and for administering the credits and the refunds.

EDUCATION FINANCING

Mr Richard Patten (Ottawa Centre): My question is to the Minister of Education and Training. In the budget your government outlined that you and the Minister of Municipal Affairs would jointly look at fairness in local government financing. Last week, the Minister of Municipal

Affairs made the announcement that your panel will look at property tax assessment reform and the larger issue of education funding.

However, your panel does not have any direct representation from the educational sector; I repeat, does not have any representation from the educational sector. Surely you will agree that this panel could have a very serious and important impact on education and how it is funded. In light of this, will you make sure that the education sector, which you are supposedly responsible to represent in cabinet, will have at least two direct representatives on this panel?

Hon John Snobelen (Minister of Education and Training): I want to thank the honourable member opposite for the question, which is of course very relevant to my portfolio and which doesn't attack any of the hard-working people involved in another industry that I used to be involved with. I appreciate, sir, that your question is on target and relevant to the future of the province.

I believe the honourable member can be reassured that the education community will be allowed to, and I'm sure will, make representations about the future of funding and governance for the system. We are committed to making funding changes. We believe that the funding situation currently in the province does not allow for a fair opportunity for all our students and we intend to have a funding system that does.

I remind the honourable member opposite that we will use studies that have already been done on the funding of our education system, that there's already been input from all stakeholders in education across the province. I believe it is now time and my colleagues believe it is now time for some action.

1510

Mr Patten: Minister, you didn't answer the question. The question was, would you have direct representation on the main panel? I would imagine that you would look at educational studies and you would hear people from education. The point is that this was presented as a joint effort with you and the Minister of Municipal Affairs. It's clear, however, that on at least this issue cabinet has marginalized you and therefore the educational sector, because who is going to make the series of recommendations? It seems to me your government's priorities are clear: economics over education.

Do you intend to allow a panel of representatives from municipalities to tell everyone in the education system how to do their job? Is that what you're trying to tell me? Your panel is supposed to find out who does what and who knows what. Will you ensure that at least two more members of the education sector sit on the main panel? By the way, you may recall my friend the member for Kenora suggesting yesterday that there be some representation from northern Ontario, because this is a panel for all of Ontario, not just for Metropolitan Toronto.

Hon Mr Snobelen: I welcome the question from the honourable member opposite. To be honest with you, because the honourable member usually has very outstanding questions, today I'm a little surprised and a little confused that he doesn't seem to be able to connect funding and economics and finance. It seems to me there's a fairly straight line. We are dealing with billions

and billions of tax dollars, and I believe that needs a very serious look. We're committed to a system, to a funding for our school system which will provide an equal opportunity for all students across Ontario, and that's the driver in that end of the process.

We are also looking, overall and holistically, at all funding mechanisms of different services provided by municipal and provincial governments. This panel has been empowered to look at all those issues. If I believe at any point that more people representing more segments of the education system or people from the west or the east or the north need to be put on the committee, that can be done. We will do this to make decisions that need to be made for the future of this province. That is our commitment.

The Speaker (Hon Allan K. McLean): The time for oral question period has expired.

COMMENTS OF MINISTER OF HEALTH

Mrs Elinor Caplan (Oriole): Mr Speaker, on a point of order: I'd ask for your guidance. The Minister of Health today said he had offered to reinstate the malpractice insurance premiums for doctors in this province. I understand that is not factual, that he has not offered that reinstatement, and I ask that he either correct the record or withdraw the statement he made in the House.

The Speaker (Hon Allan K. McLean): I have no idea whether it's accurate or whether it's not.

Hon Jim Wilson (Minister of Health): Mr Speaker, on the same point of order: The honourable member has accused me essentially of lying to the House, which I have not done. She should not be allowed to do that. She sat down and said, "You've not told the truth." The record is clear that we offered to pay the insurance premiums, and then some, to the obstetricians of this province.

The Speaker: It has been brought to my attention by the member that he indicates that the House was misled, and would the member please withdraw it.

Mrs Caplan: No, I did not use the word "misled." I said the Minister of Health said he had offered to reinstate the Canadian Medical Protective Association premiums. He has not done that. That is therefore not a factual statement, and his bullying tactics are not going to solve the problem.

Ms Frances Lankin (Beaches-Woodbine): Mr Speaker, on a point of order: I clearly heard the member say that the minister must tell the truth in the House, not make any allegations, not impute any motive.

May I point out, given that it has been raised in this House with respect to fair treatment, that the minister stood, the minister made a clarification, a statement on the record, and yet you don't allow the member opposite to do the same. The rules have to be the same, one for the other, Mr Speaker. We're not getting that fair treatment from you at this point.

We have a very significant issue in difference in terms of what obstetricians are saying has happened with respect to these negotiations and the information the minister is providing us in this House. We don't know what the truth is.

The Speaker: I listened to both of them and I'm not sure what the facts are of the answers or the questions, so I can't indicate anything until I have a look at the Hansard to find out what was said. I don't know.

Mrs Lyn McLeod (Leader of the Opposition): On a point of order, Mr Speaker: Because the member for Oriole asked for your guidance in raising it, as I heard your response when the Minister of Health rose in rebuttal — and that's all I can describe it as — you then informed this House that the Minister of Health had said he had not misled the House and therefore asked the member for Oriole to withdraw. You made a judgement as to whether the minister had or had not misled the House. You entered into the debate, and I guess the question is —

The Speaker: Order. No, we had a problem here a while ago, and I said any member who indicated that somebody else was not telling the truth was to be brought to my attention immediately. The minister got up and indicated what was said, which I am not fully aware of, because I haven't seen Hansard. Until I see Hansard I won't know.

Mrs Caplan: On a point of order, Mr Speaker: If you check Hansard what you will see is that I clearly said the minister has an obligation to tell the truth. I stand by that. I believe he has an obligation to tell the truth —

The Speaker: I'll review Hansard and see what was said. That's all.

Mrs Margaret Marland (Mississauga South): Mr Speaker, when you review Hansard, I think the important aspect of the point that has been raised, I think the issue is that the honourable member for Oriole, through her question and her point, accused the Minister of Health of lying in this House. That is the point of order that is before you. The fact that we have different opinions about what was said outside of this place we have no control over, but we do have control over a former Minister of Health, or any member, accusing a current member of this cabinet of lying.

Ms Lankin: On a related point of order, Mr Speaker: I want to point out to you that this has occurred twice now. You listened in fullness to the comments by the Minister of Health. You listened in fullness to the comments by the member for Mississauga South. You did not interrupt either one of them. Their microphones were on for the entire portion of their statements, which will be fully recorded on Hansard.

May I indicate to you that with both the member for Oriole and the Leader of the Official Opposition you rose in the middle of their comments on both occasions, you cut them off, and the last interjection by the member for Oriole, which you sat in your seat and listened to but never recognized her, will not be on Hansard at all because the mike never came on.

This is of considerable importance if there is going to be a judgement that will be ruled on on the basis of reviewing Hansard, that there is fair treatment in terms of your listening to the representations put forward by members so that they are on the record in Hansard and you can appropriately review them and then make a judgement.

QUESTION PERIOD

Ms Marilyn Churley (Riverdale): Mr Speaker, I have a point of order on a different matter, I suppose somewhat related. It's related to question period. Believe me, as one of the table officers I understand the difficulties you can encounter in the chair sometimes. My point of order is on question period. I was on number 5 for a question on the very important Women's March Against Poverty and was fully expecting that it would come around to that. I recognize that partly the reason why we got behind today was the general noise in the House, but the Minister of Education, on the last question from a Liberal member, was clearly, in my view, talking out the clock at the end, was not making any sense whatsoever.

I would ask you to try to pay attention to when members of the government tend to be on a question when we're getting near the end of the clock — because this was a very important question to me and the women of Ontario — that you take note of that and make them sit down before the time has run out. What this means is that I was unable to ask this question which people were expecting today.

The Speaker (Hon Allan K. McLean): I thank the honourable member for Riverdale for her point of order. I do try to be fair; I'll do my best.

Mr Gerry Phillips (Scarborough-Agincourt): On a point of privilege, Mr Speaker: I seek your direction on this. It happened during question period where my colleague the member for Essex South asked the Minister of Finance a question and the Minister of Finance said — I'm paraphrasing now, but I think Hansard would support this. I think the Minister of Finance said, "If you want an answer to that question, come to the press conference that we're holding at 3:30."

My point with you, Mr Speaker, is this: The public, I think, expect that this one hour of question period is an opportunity for their elected members to ask questions of the government and for the government to respond here in this forum, not to say, "If you want an answer to that question, you should come to a press conference later on."

I think it's important because the House very much relies on this forum; I think the public very much rely on this forum. It's the first time, frankly, I've heard a minister say, "If you want an answer to a question, come to a press conference." I wonder, Mr Speaker, if I might ask that you could look into this matter for us and provide any advice you can to the House.

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): On the same point, Mr Speaker: I would like to point out to the honourable member that what I said was that industry representatives will be there and the honourable member will be more than able to talk to those industry representatives and see what their particular company's position is with respect to the legislation I will be introducing shortly.

Having said that, the honourable member may be interested to know that Zurich insurance company advises that its reduction will be 3% to 5%; Allstate's will be 5%; Dominion of Canada will be —

The Speaker: Order.

Mr Phillips: Mr Speaker, did you indicate that you would be responding?

The Speaker: I have no jurisdiction over whether they have news releases or news media releases before or after question period. That's totally out of my hands. If you're not happy with his answer, there's nothing I can do about that.

1520

PETITIONS

DELLCREST CHILDREN'S CENTRE

Mr Tony Ruprecht (Parkdale): I have a petition to the assembly of Ontario which is specifically directed to the Solicitor General of Ontario. It reads:

"Whereas the Dellcrest Children's Centre is planning to open a 10-bed open custody residence for troubled children and youth at 182 Dowling Avenue; and

"Whereas the residence is an inappropriate site for the rehabilitation of troubled children and youth because it is within walking distance to illicit drug and prostitution activities; a large number of unsupervised and supervised rooming houses that are home to ex-psychiatric patients, parolees and our society's most vulnerable and ostracized members; and a number of licensed establishments that have been charged with various liquor infractions; and

"Whereas the Ministry of Correctional Services and the Dellcrest Children's Centre have decided not to hold open discussions with our community prior to the purchase of this house for the purpose of an open custody residence; and

"Whereas the decision to relocate also expresses a total lack of regard towards our community's consistent and well-documented wishes for the Ontario government to stop the creation or relocation of additional social service programs or offices in an area that is already oversaturated with health and social services for disadvantaged, troubled or disenfranchised people;

We, the undersigned local residents, urge the Ministry of the Solicitor General and Correctional Services to suspend plans to relocate the open custody residence for troubled children until a full review of the Dellcrest Children's Centre's decision can be conducted, and explore with the community alternative locations which are much more appropriate."

I have affixed my signature to this document.

NON-PROFIT HOUSING

Mr Tony Silipo (Dovercourt): I have a petition to the Legislative Assembly of Ontario.

"Whereas the Ontario government has clearly indicated that it 'wants to get out of the housing business'; and

"Whereas the Ontario government is reviewing the legal contracts and budgets of every co-op housing project in the province; and

"Whereas the Ontario government has announced plans to make huge cuts to co-op and non-profit housing funding; and

"Whereas the Ontario government wants to replace affordable housing with subsidies to private landlords; and

"Whereas co-op housing is a proven success in providing affordable homes owned and managed by the people who live in them; and

"Whereas the actions of the Ontario government threaten to destroy stable, well-maintained communities which have been built over the last quarter of a century and the investment all Ontarians have made in this type of affordable social housing;

"We, the undersigned, request that the Ontario government sit down with the co-op housing sector to negotiate a deal which will ensure the long-term financial viability of housing co-ops and the continuance of rent-geared-to-income assistance upon which thousands of co-op members depend and which will promote greater responsibility for administration by the co-op housing sector and less interference by the government in the day-to-day operations of housing co-ops."

It's a petition signed by about 150 citizens of the province, and I've affixed my signature to it as well.

CHILDREN'S LAW REFORM LEGISLATION

Mr John Hastings (Etobicoke-Rexdale): I have a petition on behalf of 500 people in the province of Ontario that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Bill 27, An Act to amend the Children's Law Reform Act, was introduced for first reading on December 11, 1995; and

"Whereas the bill amends the Children's Law Reform Act to emphasize the importance of children's relationships with their parents and grandparents; and

"Whereas the amended act would require parents and other guardians with custody of children to refrain from unreasonably placing obstacles to personal relations between children and their grandparents;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Please pass Bill 27 with royal assent without further delay to amend the loopholes in the existing Children's Law Reform Act."

I affix my signature to this particular petition.

NON-PROFIT HOUSING

Mr Alvin Curling (Scarborough North): I have a petition to the Legislative Assembly of Ontario.

"Whereas the Ontario government has clearly indicated that it 'wants to get out of the housing business'; and

"Whereas the Ontario government is reviewing the legal contracts and budgets of every co-op housing project in the province; and

"Whereas the Ontario government has announced plans to make huge cuts to co-op and non-profit housing funding; and

"Whereas the Ontario government wants to replace affordable housing with subsidies to private landlords; and

"Whereas co-op housing is a proven success in providing affordable homes owned and managed by the people who live in them; and

"Whereas the actions of the Ontario government threaten to destroy stable, well-maintained communities

which have been built over the last quarter of a century and the investment all Ontarians have made in this type of affordable social housing;

"We, the undersigned, request that the Ontario government sit down with the co-op housing sector to negotiate a deal which will ensure the long-term financial viability of housing co-ops and the continuance of rent-geared-to-income assistance upon which thousands of co-op members depend and which will promote greater responsibility for administration by the co-op housing sector and less interference by the government in the day-to-day operations of housing co-ops."

I affix my signature to the many who signed this petition.

WATERFRONT EROSION

Mr Dan Newman (Scarborough Centre): I have a petition signed by 36 residents of Scarborough Centre from such streets as Fishleigh Drive, Midland Avenue, Sunnypoint Crescent and Cliffside Drive. The petition reads as follows:

"To the Legislature of Ontario:

"Whereas the lack of provincial funding for the Fishleigh Drive erosion control project poses an immediate threat to the safety of adjacent residences and presents a public safety hazard and blight on the Scarborough waterfront; and

"Whereas extensive consulting with provincial and municipal government representatives, residents, waterfront regeneration trust and interested parties led to the final approval of this project whose subsequent funding is contingent on provincial capital grant;

"We, the undersigned, petition the Legislature of Ontario to provide funding for the completion of the east terminus of the Fishleigh Drive erosion control project as soon as possible."

I have affixed my name to this petition.

TRANSITION HOUSE

Mr Pat Hoy (Essex-Kent): "To the Legislative Assembly of Ontario:

"Whereas Transition House in Chatham has provided emergency shelter to troubled or abused youth as well as support, counselling and life skills training since 1990, and, operating on a five-year budget of \$865,000, they have counselled over 400 youth and served over 20,000 meals;

"Whereas the city of Chatham and the county of Kent rely on Transition House to meet the needs of its troubled youth and there is no other facility to serve the needs of the community; and

"Whereas the principles of discipline, self-help and a regimented environment at Transition House have combined with counselling and support to provide youth with the motivation and self-respect to return to school or find jobs; and

"Whereas the government of Ontario has cut its direct funding to Transition House by almost \$48,000 annually and placed the existence of Transition House in jeopardy;

"Be it therefore resolved that we, the undersigned, urge the government of Ontario to reverse its decision to cut

the funding of Transition House in Chatham and in Kent."

I affix my name to this petition.

1530

BEAR HUNTING

Ms Isabel Bassett (St Andrew-St Patrick): I have a petition to end the spring bear hunt to the Parliament of Ontario from 753 people, many in my riding of St Andrew-St Patrick.

"Whereas bears are hunted in the spring after they have come out of hibernation; and

"Whereas about 30% of bears killed in the spring are females, some with cubs; and

"Whereas 80% of the orphaned cubs do not survive the first year; and

"Whereas 95.3% of bears killed by non-resident hunters and 54% killed by resident hunters are killed over bait; and

"Whereas Ontario still allows the limited use of dogs in bear hunting; and

"Whereas bears are the only mammals hunted in the spring; and

"Whereas bears are the only mammals that are hunted over bait; and

"Whereas there are only six states in the United States which still allow a spring hunt;

"We, the undersigned, petition the Parliament of Ontario to amend the Game and Fish Act to prohibit the hunting of bears in the spring and to prohibit the use of baiting and dogs in all bear-hunting activities."

I affix my name to this petition.

ONTARIO HOUSING CORP

Mr John C. Cleary (Cornwall): I have a petition addressed to the Parliament of Ontario.

"The government has stated that they plan to sell off 84,000 units which are owned by Ontario Housing Corp. We are in favour of keeping OHC, which assists people on limited income to have decent, affordable housing.

"We, the undersigned, petition the Parliament of Ontario to keep public housing public."

The petition was organized by Alma Denis and has been signed by more than 371 seniors in my riding. I have also signed the petition.

ONTARIO HYDRO

Ms Marilyn Churley (Riverdale): I have another petition from people across the province who are opposed to the sell-off of Ontario Hydro. It reads:

"To the Legislature of Ontario:

"Whereas the matter of selling Ontario Hydro is likely to come before the Legislature in the near future;

"Whereas we, the undersigned residents of Ontario, who have, through the payment of electricity rates, paid for Ontario Hydro, are concerned about privatization of Ontario Hydro, leading to higher rates, lower reliability and compromised nuclear safety;

"We, the undersigned, petition the Legislature of Ontario as follows:

"Please preserve the public ownership of Ontario Hydro and refuse to sell this important public asset."

I see that my leader agrees. I will affix my signature to this petition.

CHILD CARE

Mr Bill Grimmett (Muskoka-Georgian Bay): On behalf of the member for Parry Sound, I have a petition I'd like to present today. In accordance with the standing orders, I will summarize it rather than read it. It has to do with the child care system and it's been signed by approximately 14 residents of the riding of Parry Sound. I believe it's in the proper form.

COLLEGE OF TEACHERS

Ms Annamarie Castrilli (Downsview): This is a petition to the Ontario Legislature.

"Whereas the public secondary teachers of Ontario have taken a workplace democracy vote in accordance with Bill 7 and have rejected the proposed College of Teachers by a 94.8% vote,

"We, the undersigned, urge the provincial assembly to instruct the government to withdraw Bill 31, the Ontario College of Teachers Act, 1995."

I affix my signature.

VIDEO LOTTERY TERMINALS

Mr John Gerretsen (Kingston and The Islands): I have a petition to the government of Ontario which reads as follows:

"Since video lottery terminals will contribute to gambling addiction in Ontario and the resulting breakup of families, spousal and child abuse and crimes such as embezzlement and robbery;

"Since the introduction of video lottery terminals across Ontario will provide those addicted to gambling with widespread temptation and will attract young people to a vice which will adversely affect their lives for many years to come;

"Since the introduction of these gambling machines across our province is designed to gain revenue for the government at the expense of the poor, the vulnerable and the desperate in order that the government can cut income taxes, to the greatest benefit of those with the highest income;

"Since the placement of VLTs in bars in Ontario and in permanent casinos in various locations across the province represents an escalating of gambling opportunities; and

"Since Premier Harris and Finance Minister Eves were so critical of the provincial government becoming involved in further gambling ventures and making the government more dependent on gambling revenues to maintain government operations;

"We, the undersigned, call upon Premier Harris and the government of Ontario to reconsider its announced decision to introduce the most insidious form of gambling, video lottery terminals, to restaurants and bars in this province."

I've affixed my signature to this petition as well.

COLLEGE OF TEACHERS

Mr James J. Bradley (St Catharines): I have a petition signed by a large number of people which reads as follows:

"Whereas the public secondary teachers of Ontario have taken a workplace democracy vote in accordance with Bill 7 and have rejected the proposed College of Teachers by a 94.4% vote,

"We, the undersigned, urge the provincial assembly to instruct the government to withdraw Bill 31, the Ontario College of Teachers Act, 1995."

I affix my signature to this petition as I'm in agreement with its contents.

GASOLINE PRICES

Mr James J. Bradley (St Catharines): I have another petition, which reads as follows:

"Whereas since March 1996, gasoline prices have increased on average a dramatic 10 cents a litre, which is over 45 cents a gallon; and

"Whereas this increase in the price of gasoline has outpaced the rate of inflation by a rate that is totally unacceptable to all consumers in this province because it is unfair and directly affects their ability to purchase other consumer goods; and

"Whereas Premier Mike Harris and Consumer and Commercial Relations Minister Norm Sterling, while in opposition, expressed grave concern for gas price gouging and asked the government of the day to take action;

"We, the undersigned, petition Premier Harris and the government of Ontario to eliminate gas price fixing and prevent the oil companies from gouging the public on an essential and vital product."

I affix my signature to this petition as I'm in agreement with its contents.

APOLOGY

Mr Chris Stockwell (Etobicoke West): On a point of order, Mr Speaker: I think earlier today in the beginning on the point of order my intervention was somewhat intemperate. I not only ask that those remarks be withdrawn but I offer a sincere and heartfelt apology to you as Speaker and to the august chair that you hold. Although I think it was unfortunate that those comments were in the newspaper and I will stand by that, certainly it didn't call for that kind of intervention and I sincerely apologize to you, the Speaker.

The Speaker (Hon Allan K. McLean): Thank you.

INTRODUCTION OF BILLS

AUTOMOBILE INSURANCE RATE
STABILITY ACT, 1996LOI DE 1996 SUR LA STABILITÉ
DES TAUX D'ASSURANCE-AUTOMOBILE

Mr Eves moved first reading of the following bill:

Bill 59, An Act to provide Ontario drivers with fair, balanced and stable automobile insurance and to make

other amendments related to insurance matters / Projet de loi 59, Loi visant à offrir une assurance-automobile équitable, équilibrée et stable aux conducteurs ontariens et à apporter d'autres modifications portant sur des questions d'assurance.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

Does the member have a short statement?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): No, Mr Speaker. I made my remarks earlier. I don't think it would serve any useful purpose.

1540

CONSTRUCTION WORKFORCE
FROM QUEBEC ACT, 1996LOI DE 1996 SUR LA MAIN-D'OEUVRE
DE LA CONSTRUCTION DU QUÉBEC

Mr Lalonde moved first reading of the following bill:

Bill 60, An Act respecting the participation of workers and contractors from Quebec in Ontario's construction industry workforce / Projet de loi 60, Loi concernant la participation des travailleurs et entrepreneurs du Québec à la main-d'oeuvre de l'industrie de la construction de l'Ontario.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

M. Jean-Marc Lalonde (Prescott et Russell) : Ce projet de loi privé déposé aujourd'hui a pour but de nous assurer que les travailleurs de la construction et les entrepreneurs en construction de l'Ontario ont des chances égales lorsqu'ils soumissionnent ou lorsqu'ils tentent d'obtenir des emplois sur les chantiers de construction en Ontario et au Québec.

This bill tabled today is to ensure that construction workers and building contractors of Ontario are provided with equal opportunities when tendering or attempting to work on job sites in Ontario and Quebec.

OPPOSITION DAY

EDUCATION FINANCING

Mrs McLeod moved opposition day motion number 2:

Whereas the actions taken by Mike Harris and his government have reduced the excellence and accessibility of our education system; and

Whereas Mike Harris promised in the Common Sense Revolution that any funding cuts to education would not come from the classroom; and

Whereas Mike Harris and his government have in fact affected classroom funding with an initial cut of \$400 million, which annualized will equal \$800 million, and which has resulted in the elimination of the classroom for many young Ontarians and adult students; and

Whereas Mike Harris and his government have acknowledged that the current dropout rate will cost the country \$23 billion in lost productivity, \$9.9 billion in lost taxes and \$1.4 billion in welfare and unemployment benefits; and

Whereas many adult learners are high school dropouts who realize the need to complete their high school education; and

Whereas Mike Harris's actions through Bill 34 will make adult education unaffordable for many; and

Whereas Mike Harris has closed the doors of education and opportunities for these individuals by a reduction of funding for adult education with the intended passage of Bill 34; and

Whereas the government's own studies have shown that junior kindergarten has a positive impact on children; and

Whereas the Royal Commission on Learning recommended that schooling begin at age three to maximize the benefit of early childhood education for each child; and

Whereas Mike Harris also promised to present a toolkit to the education sector to help them reduce their costs and failed to provide an adequate set of tools; and

Whereas for many Ontarians the cost of the tax cut promised by Mike Harris will be a poorer education system;

Therefore this House calls on the Mike Harris government to fulfil its promise not to affect classroom spending; to refocus its priorities on the quality of our education system rather than simply cutting and slashing programs; and to promise no further cuts to the education system.

Mrs Lyn McLeod (Leader of the Opposition): We present this resolution at this time in the belief that it re-emphasizes the concerns we have with Bill 34, the bill that the government plans to pass before the end of the month, the bill that will effectively kill junior kindergarten as a universally accessible quality program, the bill that guts adult education. It's one of the reasons why we present this resolution today, although we know that Bill 34 will be debated again before the end of the month.

But I presented the resolution as well because I believe it emphasizes and reiterates our very real and our growing concern with this government's education policies, our concern that this education minister is ready to destroy public education as we know it and that he does not even acknowledge or seem to understand that this is exactly what he is doing as he not only makes cuts to the education system but brags about how many more cuts he can make in the future.

Some of us do care about education and we will raise our concerns as often as we are able to in this Legislature and in every other forum that's available to us.

My colleagues will be speaking to different parts of this resolution, so I want to use my few moments this afternoon to focus on what this government's cuts to education are going to mean to special education and to the students in classrooms not only today but tomorrow who will need special education support if they are to learn, if they are to complete their high school education and be able to go on to further training and education. There is absolutely no question that this is an important example, one example that concerns me very deeply about the way in which the cuts are affecting the excellence and the accessibility of education for thousands of children who have special needs.

I want to focus my comments on this because I think back to when I first became involved in politics, running

as a trustee for the board of education in Thunder Bay almost 30 years ago, I confess. I ran because there was no special education in our schools and there were many people in our community who wanted to see special education programs developed. It was the whole reason why I first got into politics. We were at that point just beginning to understand the nature of special education, of learning disabilities. We were a long way from knowing how to diagnose or remediate them.

We've come a long way in 30 years. It has taken a long time. We have slowly come to understand the very ability of the special needs that students have. We've slowly been able to train and hire specialists who could do assessments and provide the education that teachers need and provide remedial instruction to students. Boards worked on these programs literally on their own until 1980 and then a former Conservative government, under Bette Stephenson as Minister of Education, brought in Bill 82, which made it mandatory, made it part of the law of this province to meet the special needs of students.

We've continued to see progress since then as boards have looked at individual withdrawal programs to meet special needs, they've had special classes that would respond to some students' needs and more and more have moved to integrated classroom models so that students are not in segregated classes. The learning of the last 30 years has not been only about the varied nature of the needs of students, but the flexibility that's needed to be able to respond to those needs. The whole goal is that every child would have a chance to learn. There's no question, no doubt at all that as we understood the needs more, as we learned more about how to respond to the needs, the cost of the special education programs grew.

I suppose it's possible that the Minister of Education looks at these as being non-classroom, non-basic costs so that they're the things that can go when you when you bring about billions of dollars of cuts in education, but these are absolutely critical needs and these cuts are affecting the educational needs of these children. The resources are being withdrawn. It's happening in different ways in different boards because these are agonizing decisions that are being made by boards forced to retrench and consolidate and reduce in every possible area. The bottom line again is that there's no flexibility to meet special needs.

I'm going to take a couple of minutes to give examples. I confess that I could go on all afternoon, because this issue has been so close both to my heart and my political life. It truly made me heartsick to learn last week that the board I first ran for 30 years ago has now been forced into the position of reducing its special education program, including its assessment teams and in-school special education support. For me, after all the years of establishing the need and building the programs, it was like 30 years of work that were suddenly being undone because the Tory government decided it had to have billions of dollars to pay for a tax cut, and that makes me absolutely heartsick. It wasn't because there was a better way of meeting these students' needs; it was because boards were forced to cut, to find dollars, to find them fast, and no area was exempt.

In my brief period of existence outside political life I was involved in the assessment of special-needs students. Just to give you an example of what this kind of cutback may mean, I think of a boy in grade 3 who was well on his way to becoming a serious behaviour problem who was brought in to see me because of the behaviour difficulties he was having. What hadn't been realized was that this young boy had a math disability. He was absolutely terrified of being brought up to the board to do addition sums because he was afraid he would be embarrassed in front of his classmates, so rather than be embarrassed, he chose to be bad. If that problem had not been understood, had not been dealt with in the simplest of ways — it didn't require a lot of money to solve that child's problems — that boy was well on his way to being a serious behaviour problem and potentially a delinquent and a truant in later adolescent years.

1550

I found out that in Hamilton the decision has just been made to take 800 students out of their separate classrooms and move them into integrated classrooms. This might be seen to be a good move, except that they're not going to be given the support they need to function in those classrooms. We have parents who are coming into our constituency offices, parents of special-needs kids, desperately worried that their child's special class will be gone.

I can't tell you how I felt when a parent who's worked for many years to provide the support her special-needs child requires came in to see me and said: "I'm so worried he will lose his special class. I know what that woman felt like in Hamilton who went in and closed the garage door with her special-needs child."

A woman spoke to me yesterday with the opposite concern, the concern that her child, who is an attention deficit disorder child, who is in an integrated class, has had a special education support person in that class, is going to lose that support person. The parent has been told that she will have to pay for a tutor if she wants that child to stay in school at all.

I cannot believe that after the years in this province of working to provide for the needs of these students, even making it law under a former Conservative government, this is what's happening to children in our classrooms. This is the reality of what is happening with this government's cuts. This is the reality of what is happening to children. It's going to continue if the cuts continue. The gains of the past 30 years and more in public education are going to be lost.

If these cuts continue we will see nothing less than the destruction of the system. It is the generation of children who will pay the price for this government's policies, and those who need special help and don't get it will be forced to pay a price for their entire lives.

Mr Len Wood (Cochrane North): During the election campaign we heard the Mike Harris government make all kinds of promises. One of the promises they made was that they would not cut classroom funding. Since they've cut over \$400 million from public schools and more than \$400 million from universities and community colleges, anyone tells us that the money to be cut cannot be cut

without hurting classroom education. It's just plain wrong to think that this can be done without hurting the education system and the classroom education.

Many studies over the years have shown that junior kindergarten as an early childhood education has very beneficial effects on a child's development. But, as we've heard, the government decided to make junior kindergarten optional.

The program for junior kindergarten was first introduced back in 1944 and has been supported by all governments since then except for the Conservative government we have today. Our NDP government introduced legislation to make junior kindergarten mandatory, providing early education to all children and a means so that all children would have the chance to live up to their potential in our society.

The government says that our youth will benefit in the future from deficit reduction efforts. What I want to say is, who will benefit more from a junior kindergarten program that would educate them in the early days of leading into their future? It's not going to help them if they don't get the education they need at an early age.

The government isn't just picking on the kids. You are reducing the education opportunities for adults, and those adults with special needs. In Cochrane North, for example, not only are we going to lose junior kindergarten in some of the areas, but adults who need the special training to get back into the workforce — programs are being cancelled. How do the people who are above age 21 get the special training they need to upgrade their education and get their grade 12 diploma and get back into the workforce so they are not what the Conservative government considers to be a burden on society when they are not working?

Most secondary schools, as I said, will not have adult education. Kapuskasing and Smooth Rock Falls had no choice but to terminate their adult education program. As a result, we've seen teachers being laid off. Adult students trying to upgrade their education so they can get back into the workforce are being told, "Forget about it." Where do they turn to? What choice does it leave them? And what about the other special needs?

The group out of Hearst that helps injured workers to re-enter the workforce has been in touch with me, saying that most injured workers in the 20th century have not had an adequate education to re-enter the workforce after an accident. They need more advanced training in their field and other fields. A reduction in funding for adult training programs is really a blow to these injured workers who were looking forward to being able to upgrade their education and being re-employed in new fields in a position similar to the one they've held previously.

All of these people are also taxpayers. They pay taxes and they want their taxes to be contributed to helping our society and economy and everyone else. They're talking about the \$400 million in education cuts, and when you total that all up, you're talking about \$1 billion in cuts that have come out of classroom education. The promise was made during the election campaign that classroom education would not be touched.

The ones who are losing out on the education are the ones who are often the people who are most seriously hurt and need continuing education. Their livelihood depends on getting a better education through the secondary system. We ask the question, and we've been asking over the past year since we heard about the cuts that are coming, what about their wellbeing? Some people need a leg up, and the injured workers are in that particular category.

Slashing education funding without consideration for those people with special needs — and we're talking about the injured workers; we're also talking about junior kindergarten, which is being made a local option; we're talking about the adult education programs. These are the people who would have benefited in the long run as a result of not having the cuts to the classroom that are being done.

A lot of the budgets for colleges are being reduced, by about \$130 million. The attack on the colleges has already resulted in lots of campus closures. Hundreds of college programs are being suspended or eliminated and there are thousands of layoffs.

I just want to touch a little bit on my riding of Cochrane North. The university at Hearst has lost \$375,000 in operating revenue, or about 14% of its budget. Five positions were cut from a personnel of 30. Since 70% of the university expenses is for salaries, the number of layoffs would be clearly greater if staff had not accepted an average wage rollback of 8%. So we have a wage rollback of 8%, and with the cuts we're still ending up with five teaching positions being lost. The students at this university will also be faced with a 20% tuition fee increase this September.

The Collège Boréal in Hearst must reduce its budget by \$1.5 million for this fiscal year and they're looking at implementing a 15% reduction; 10% will be in the salary budget and 5% in operating expenses. There will also be restructuring and administration cuts that will result in layoffs and some structural changes. This is a new college which in its first year offered services in 24 communities in northern Ontario. Their programs are popular and 111 people have already expressed an interest in attending the Hearst campus for this September.

I might point out that it was a pleasure for me last Friday to attend the first graduation of the class of students in Hearst and also at the campus in Kapuskasing. It was well attended. People were pleased and happy that as a government we managed to put Collège Boréal in place, and now we've had the first graduation.

Over 9,000 layoff notices have been issued so far in the 32 school boards across the province. The minister claims this will not have an impact on the classroom.

In one school that I know of because my daughter teaches there all the teachers were all given their notices of layoff, and the principal said: "How am I going to operate this school? I don't know yet if some of the teachers are going to be recalled or whatever." As a result, it's causing nothing but panic in some of those areas.

I know we're splitting the time fairly equally among all participants, so with that I'll save further comments for a further day.

1600

NOTICE OF DISSATISFACTION

The Acting Speaker (Mr Gilles E. Morin): Pursuant to standing order 34(a), the member for Riverdale has given notice of her dissatisfaction with the answer to her question given by the Minister of Environment and Energy concerning mandatory vehicle emissions. This matter will be debated today at 6 pm.

Pursuant to standing order 34(a), the member for Riverdale has given notice of her dissatisfaction with the answer to her question given by the Minister of Environment and Energy concerning Hydro privatization and peer review. This matter will be debated today at 6 pm.

EDUCATION FINANCING (continued)

The Acting Speaker (Mr Gilles E. Morin): Further debate?

Hon John Snobelen (Minister of Education and Training): My colleagues and I welcome the opportunity today to debate the opposition motion. It gives us a chance to set the record straight.

This motion really amounts to an accusation. Albeit in keeping with the Leader of the Opposition's record, it's an inaccurate, unfounded, unfocused, obscure, vaporous and fuzzy accusation, which is her norm. It's none the less an accusation.

It's interesting to note that both the Leader of the Opposition and the previous speaker have grossly exaggerated the effects of a less than 2% reduction on the operating line of our schools. I'll leave it to my colleagues; I leave them the enormous and endless task of correcting the inaccuracies of the opposition statement. I'm going to focus on what this government, my colleagues and I, can be accused of.

Can we be accused of wanting to change a school system that spends more than the national average but produces mediocre student achievement;

A school system where funding on a per student basis fluctuates by more than 30% from rich assessment boards to poor assessment boards with virtually no difference in student achievement;

A school system where parents feel powerless and teachers are frustrated;

A school system where, by some accounts, 47% of the nearly \$14 billion we spend is spent outside the classroom, a significant portion of that on administration;

A school system without the standards of achievement and accurate testing methodologies that our students deserve and our parents quite rightly demand;

A school system that often treats adults like children;

A school system where bargaining units attempt to represent both the professional interests and the bargaining interests of teachers;

A school system that sometimes ignores the up to 70% of students who will leave high school for the world of work or training;

A school system where the acceptable level of reading — perhaps my colleagues opposite would like to hear this — for a grade 9 student is grade 4;

A school system with the lowest student-teacher ratio in Canada, at about 15 to 1, but with relatively high class sizes;

A school system that is behind on the information highway that has opened up an enormous gap between children who have information technology access and those who are less fortunate?

We are committed to changing this school system. We have said that very clearly in the Common Sense Revolution and we have maintained that posture since we formed the government.

The official opposition obviously resisted change during its term of office. The third party proposed changes just months before the election. Unlike the Leader of the Opposition, unlike some members of the third party, my colleagues and I are not apologists for the status quo in our school system.

We are committed to bringing about the changes that will lead our school system and our children into the next millennium. My colleagues and I and our partners in education will create more affordable schools —

Mr Bud Wildman (Algoma): What was the royal commission about? Come on.

The Acting Speaker: I ask the leader of the third party to please refrain from shouting.

Mr Wildman: Mr Speaker, on a point of order: I appreciate very much your comment, but the minister is being provocative.

Hon Mr Snobelen: I thought I was being affectionate. I thank you, Mr Speaker. There is often some resistance on the part of members of the third party and members of the opposition to hearing the facts about our school system, the facts about where it needs to go, and to actually own up to the record of the previous administrations.

As I was saying, my colleagues and I and our partners in education will create more affordable schools, a more accountable school system, and will focus on the only quality measure that makes any difference, and that is student achievement.

Yes, we are committed to creating better value for the taxpayer by finding savings outside of the classroom, and we expect the cooperation of everyone in the school system in meeting this goal. That's why we'll give boards the authority and the opportunity to create changes in school administration practices, practices that date back past two decades. We'll also allow them the opportunity to negotiate fair sick leave policies without making them have 20 sick days per year, as the current Education Act requires.

We have supported the current system of local negotiations between boards and unions. We've supported that and we've asked them to provide an affordable and accountable system to the people we all serve. We expect, in keeping with our mutual responsibility to taxpayers, to parents and to students, that these negotiations will result in improved teacher deployment and the protection of young teachers in our system.

We are committed to improving and enhancing the testing of students. For the information of my colleagues opposite, grade 4 is not an acceptable level of reading for grade 9 students. That's why we've introduced Bill 30, to

create an outside testing agency, and that's why our reforms of the secondary school program will have clear levels of achievement and testing embedded in them.

We believe that teaching is a public trust, we believe it deserves to be regarded as a profession, and that's why we have introduced legislation to create a College of Teachers, to allow teachers to enter into the same kind of relationship with that public trust that over 30 other professional organizations enjoy in the province today.

Like most people in this province, my colleagues and I understand that adults are different from children. The Leader of the Opposition seems to have some problem with this concept, but we understand it. We are going to allow schools to offer adults different programs and services, delivered in a different way than they do for adolescents. Frankly, fitting most adults into programs and delivery systems that were designed for children is an insult to all the parties concerned.

We are committed to finally addressing the recommendation of two royal commissions and ending once and for all grade 13. We will create a much-improved secondary school system, with more compulsory subjects, with higher expectations for our university-bound students and, most importantly, a curriculum designed to help and to encourage the lost 70% of students, those who are destined for work or for a training program. We believe those young men and women are important to the future of Ontario as well.

We're committed to what is possible when teachers have the information tools they need to excite, to stimulate and to encourage the curiosity of young people. That's why we have doubled the technology incentive partnership program, TIPP, for this year and why we will continue to look for investments that will help to move our school system into a modern, relevant learning environment for our students.

Unlike our predecessors, this government will change the education funding system. We'll create a funding mechanism that provides equal opportunity for all Ontario young people.

1610

Mr Rosario Marchese (Fort York): How do you do that?

Hon Mr Snobelen: I'll tell you how you do that: You do it by placing students and not systems at the core of funding in education.

Another issue that perhaps was too tough for previous administrations to tackle: We'll address the governance structure of our schools, not only to lower administrative costs, but also to give parents and students a real say in the operation of their schools.

Applause.

Hon Mr Snobelen: I want to thank both members for the applause.

Our government understands that all of our actions must be focused on the future of our children. That means we must take on the problems that our generation has created and not leave the next generation a legacy of increased debt and diminished opportunity. In the actions, in the plans, in the policies of the Ministry of Education and Training, we will work in concert with other ministries, with my colleagues in this government, to take on

those problems, to resolve them once and for all and to leave the next generation with a better Ontario and a better opportunity. We must do this and we will do it.

Ms Annamarie Castrilli (Downsview): I'd like today to address the important issue of adult education. I can scarcely believe my ears on what the minister has just delivered. I'd like to remind the minister that on October 13, 1992, this government's former education critic, the member for London North, stated in this House that, "Without the resources to produce a highly skilled workforce and advanced research facilities, Ontario will be unable to compete in today's global markets."

This is truer today than it was four years ago. Globalization is rapidly changing the way we live, the way we conduct our business and the very structure of our workforce. While it has opened up new industries and new opportunities, it has also led to corporate downsizing. This growing trend has thrown, and continues to throw, tens of thousands of people out of work. The economic costs to the province are enormous. Persistent unemployment is strangling our economic prospects.

Our inability to compete globally will represent nothing less than a national crisis. Crises are something this government knows far too well. It is shocking that we are now experiencing a dangerous crisis in education, a crisis that the minister himself has created.

Our success as a province, as a nation, as an international economy, will depend on making education more accessible, not less so. At a time when we need the strongest possible commitment to education, advancement, education planning and educational opportunities for all Ontarians, this government has instead embarked upon a process of disinvestment in this essential economic building block.

The government forgets that we as legislators have an obligation to provide our citizens with hope, alternatives and opportunities. Now, as never before, the successful economies of the world are focusing on education and training to achieve these goals. The rapidly expanding economies of Asia have relied upon this sector to transform their agricultural economies into rapidly expanding industrial centres.

Today, a successful society is one in which there exists a continuum of education. From primary to secondary to post-secondary education, there must exist strong links that promote progress through the system at all levels. Elementary and secondary schools are critical blocks in building success.

We must build strong foundations at each level and accessible doorways into each. We must also promote excellence in our post-secondary education sector, for it is our colleges and universities that will provide our trained workforce of tomorrow. They will provide the settings for research and development that will dictate our competitiveness in the increasingly important high-tech sector.

We must ensure that we have in place a process to retrain older workers, providing new career choices and opportunities. We cannot afford to lose the experience and skills of valuable people simply because this Minister of Education and Training does not support the fundamental goals of his own ministry.

I believe the road to lifelong learning has no stop signs, but this government has lowered the speed limits, and through funding cuts and reduced maintenance has forced students and teachers to weave through a maze of deepening potholes.

The government's approach in stripping money out of elementary, secondary and post-secondary education is not much different from the private sector model of downsizing, except in one crucial way: The private sector knows that downsizing is useless to the bottom line unless you also fundamentally change core processes and introduce much higher levels of technology. The Harris government is doing only half the job, and the wrong half at that.

The announcement of \$40 million for technology in schools during the budget has seen no further announcement by this minister. Has the program been allowed to quietly fade away or does the minister have something concrete to offer to the students of Ontario before they leave school for the summer? Are the computer camps being offered by private enterprise more hidden user fees for the students of Ontario, students who want an education which prepares them for their electronic future instead of the Mike Harris bologna past?

The Royal Commission on Learning spoke strongly in favour of training and supporting teachers who hold the responsibility of providing the necessary and appropriate instruction for students to be aware of the future. Yet where are the plans for training teachers to be proficient users and teachers of the technologies that are the norm everywhere in the workplace except our schools? There are none. Where are the requirements that teachers be given the resources and skills and knowledge that guarantee currency with the work sites into which the minister is going to push students with his new plans for secondary school reforms? There are none.

School boards are giving surplus notices to their youngest and brightest teachers as a result of the massive funding cuts. What is the minister doing to ensure these dedicated teachers are not lost forever to education in Ontario? The answer: Nothing.

The role of government has always been to take the long view, not to be shortsighted. The Harris government is doing a disservice to the taxpayers of Ontario by being penny wise and pound foolish. The short-term savings in scraping junior kindergarten and adult education are going to cost us dearly as troubled youth will strain our social and correctional dollars.

As adults, they are also more likely to remain a social cost instead of productive workers in the economy. They are getting ripped off as children and as adults by the minister's apparent inability to understand cause-and-effect relationships which even the research commissioned by his own ministry proves.

Ontario's adult education programs are a remarkable success story. Each year, over 80,000 daytime students over the age of 21 enjoy the benefits of this program. The success of these graduates is testimony to the dedication, perseverance and potential of these hard-working people. Eighty-three per cent go on to find jobs or continue their education to further advance their career opportunities: 36% continue education, 47% find employment.

This means fewer people on welfare and other forms of social assistance and bigger savings for the taxpayer. Yet despite this success, the Harris government has gone on an assault against adult education in its budget cuts. For small or isolated boards of education, the funding cut for adult students is as high as 70% to 80%. Financial realities leave these boards with little recourse. Opportunities for adult students will be cut and high school dropouts will just remain out of luck.

Through Bill 34, this government is making adult education inaccessible by not allowing re-entry into daytime secondary programs. Anyone over 20 years of age, including single parents, immigrants requiring upgrading and those needing a second chance will all be denied access to the day program, a program with proven success and proven worth. This will inevitably force those students into expensive private programs or into welfare lines.

The government has already acknowledged that the current dropout rate will cost the country billions in lost productivity, in lost access and in increased welfare and unemployment benefits. But what is the government doing to solve this problem? Where are the initiatives? Nowhere.

1620

The Minister of Education and Training told this House on November 2 that "rigorous standards, high levels of expectation and better career preparation for all students will drive the new system," but I simply don't see it. Better career preparation surely includes finishing high school. This government is making that prospect much more difficult. With fewer people graduating high school, we will have fewer people continuing on to college and university. This downward spiral will do nothing but inflict long-term damage on our workforce, our businesses and our competitiveness.

It's time to question the morality of those businesses and governments that tossed their employees out like garbage for the rest of society to take care of. We don't tolerate companies polluting the environment with hazardous chemicals, but it doesn't seem to bother this government that our most precious resource, our people, is cast off and destroyed.

Even the inventors of the downsizing movement have realized they have gone too far. What they agree on is that while it is good that downsizing improves profits, some of those profits should be redirected to train the displaced workers for other meaningful work. This simply makes good business sense.

One would think the minister would be using his influence in the educational and business communities to develop the kind of partnerships which will link supply with demand, the supply of high-quality adult education provided by our secondary and post-secondary institutions with the demand from business and government, which need to reduce their workforces and which also need to train their remaining staff to meet the tough competition we face from abroad.

I've travelled throughout the province speaking to students, teachers and administrators, something I encourage the minister to do. I know that our schools, our colleges and universities are successful, they are innova-

tive, but they need encouragement and support, not criticism and funding cuts.

Let me give you one example of what I mean. I met recently with the president of Cambrian College in Sudbury and saw at first hand the success that can be generated through dedication and innovation. Through extensive co-op programs, they are building strong links between faculty, students and businesses, extending knowledge and ideas throughout the economy. Cambrian College now has contracts with both Inco and Falconbridge mining company to train staff. It has created a resource centre for smaller businesses that need to develop the skills of their staff. Cambrian also encourages its teachers and administrators to work in the private sector, both as a way to save money and as a way to provide local businesses with expertise they would otherwise never be able to afford.

These are innovative, creative ideas which promote lifelong learning, recognize the demand that exists in all our communities across Ontario and the role which our educational institutions can play in filling the demand. It is time to start investing in our people.

This is only one example. If the minister were to exert an effort he would find many others, but the minister is silent on creativity; he is silent on innovation; he is silent on commitment. What is needed above all by this government is a commitment to deal with the real problems related to education in this province: funding structures, excessive dropout rates, lack of career opportunities, growing violence in the schools and income security.

This government must realize that education is the lifeblood to the economy. We cannot let it be capped at the knees. We must do all we can to keep people in school, to give them every chance possible. We must ensure the existence of adequate day care, nutritional programs, co-op and mentoring initiatives and quality counselling. We must reach beyond the confines of the most advantaged and provide greater opportunities to the vast pool of human resources that have been held back because of a lack of these opportunities.

Our province hurts every time a child drops out of school. Our economic engine slows a little each time an individual fails to pursue lifelong goals because of lack of opportunities and structural restrictions.

It was Robert Frost who once said, "A man's reach must exceed his grasp, or what's a heaven for?" It is education that helps us exceed our grasp.

Government must set the stage for growth and opportunity for Ontario students, students of all ages. We must establish high goals and objectives and embark on an aggressive campaign to expand our potential, our capabilities, and above all, our achievements. Our human capital is important and we Liberals will not allow anyone, not even this government, to squander it.

Mr Wildman: I join in this debate in support of the resolution because I think we are at a crossroads in terms of education in the province. I listened very seriously to the Minister of Education and Training's intervention in the debate and I must say I've seldom heard so much puffery in this House, and that's saying a lot. I've heard a lot of that in the years I've served in this place.

There was just a lot of rhetoric without any real substance to what the minister put forward, and that's

really tragic when we're talking about the future of our children and how we provide adequate opportunities for children to gain the skills they will need to be able to compete and contribute and be productive in the 21st century.

This party that is in power ran on a campaign where they pledged to exempt classroom education from any cuts, and now we've seen that this government is taking over \$400 million out of the education system in four months. The minister has agreed, he has acknowledged that this works out on an annualized basis to at least \$800 million, perhaps as much as \$1 billion. When that is indicated to the minister, what is his response? His response is, "Well, good; if we can get more out of it, all the better," and then he goes on to say that he intends to have further cuts next year.

The point is this: It is absolutely impossible, even if you play around with definitions, to take \$1 billion out of the education system in one year and not affect classroom education. It is completely impossible. What makes me angry about this government's approach in a funny way is not so much what they're doing, which really concerns me, as what they're saying about it, because if you're going to hurt classroom education by taking \$1 billion out of education in one year, be honest about it.

Don't keep going around the province saying, "Oh, we're not going to affect classroom education. We're not going to hurt kids' education. We're just going to take money out of administration," because it is not true. It is not true. Let's just be frank. Let's be honest with the public and say, if the government really believes it: "We're in a serious economic position. We're in a very difficult fiscal position and we're prepared to hurt classroom education in order to deal with the fiscal situation." Because that is the position you are really taking, so why not be honest about it?

Mr Bill Murdoch (Grey-Owen Sound): Would you agree with that?

Mr Wildman: I'm not saying I would agree with it. What I'm saying is that at least if that is what your position is, be honest about it. Just be honest. Just be frank. Don't play games with the public, because that's what you're doing.

What have we seen happen in education in this province because of Bill 34 and the commitment to take \$1 billion out of education in one year? We've seen 26 boards already eliminate junior kindergarten programs. Some of these programs are long-established programs that were in place before our government made it mandatory. Those boards have eliminated it because they cannot afford it. The ones that have continued junior kindergarten programs in most cases have changed them. They've changed them to be full day every other day or they've combined them with kindergarten programs to save money but to try to preserve the program, because they understand how important early childhood education is.

1630

This government says, "Well, we promised that junior kindergarten programs would be optional, and therefore we are going to make it optional." But when you put the option in place at the same time as taking so much money out of education all at once, for many, many

boards it is not really an option. They have to end the program because they can't afford to continue it.

The minister acknowledges the importance of junior kindergarten and early childhood education programs, and yet he says that he's not affecting classroom education. The last time I checked, junior kindergarten programs take place within classrooms. You can't eliminate junior kindergarten programs and say you're not affecting classroom education.

Mr Steve Gilchrist (Scarborough East): We are not eliminating the classrooms.

Mr Wildman: Oh, that's a real canard. The member says, "We" — meaning the government — "are not eliminating junior kindergarten programs." No, the boards are. It's all the boards' fault. Well, who provides, particularly in assessment-poor boards, most of the money for junior kindergarten programs? This provincial government does.

What are they doing at the other end of the spectrum, in adult education? This legislation says that adults, people who have been out of school for over four years past age 16, should go to continuing education programs; they shouldn't go to day adult education programs.

Frankly, that is a case, I believe, under the Human Rights Code, because in my view that is discrimination on the basis of age, which is illegal in this province, to say that people over the age of 21 cannot attend day programs and must go to continuing education programs. It's going to be an interesting court case. But more than that, it is contradictory to this government's own stated program. This is a government that says that it wants people to become productive, to upgrade themselves, to get the skills they need in order to provide for themselves and their families and to compete and contribute to society. Just by ending adult education programs, you're making it more difficult for adults to get the skills they require and to upgrade themselves. It's contradictory to the government's own program, and it's going to hurt adults, and it's going to hurt our competitive position in Ontario going into the 21st century.

The government is also freezing capital projects as part of this saving of \$400 million in four months. That means that in many, many projects where students have been going to school in portables, they will continue to go to school in portables; they won't be able to get the expansion that the school requires. This is a government that says classrooms are exempt. Well, going to school in a portable is affecting education in the classroom.

What has this meant? It has meant 10,000 layoff notices for teachers. Again, a government that says it is not going to affect classrooms, it's not going to affect classroom education, all the layoffs will take place in support staff and in administration — well, we've seen many, many teachers who are going to be laid off, and those teachers work in classrooms and educate students. So don't continue to go around saying, "We're not affecting classroom education." You are adversely affecting classroom education for students. So just admit it. If that's what you want to do and that's what you think is important, well, okay, but say so; don't pretend with the public.

This is a minister who said that the NDP did not want change. It was the New Democratic Party government

that appointed the royal commission. The unfortunate thing with this government is that it's taken everything that might save money the royal commission proposed and hasn't done anything the royal commission proposed that would cost money. That's unfortunate. That is most unfortunate.

Interjection.

Mr Wildman: The College of Teachers is going to be paid for by teachers, so let's be careful.

At the other end, in the post-secondary level, this government has taken \$430 million out of colleges and universities and has increased tuition fees. The minister is talking about teacherless classrooms. When I pointed out that this is affecting classroom education at the post-secondary level, the minister wrote me, in a letter dated March 8:

"The government's stated intention to isolate Ontario classrooms from reduced funding levels specifically targeted the elementary and secondary school systems. While the government's commitment to education is articulated differently at the post-secondary sector, the principle of protecting education itself remains."

What that gobbledegook means is that even the commitment to protect classroom education does not apply at the post-secondary level. At least the minister is being a little more honest at that level. Why can't he and the government be as honest in dealing with elementary and secondary classroom education?

This is a time when we should be strengthening our education system. This is a time when we should be providing more opportunities for young people to gain the skills they require so that Ontario will remain competitive going into the 21st century. Instead we have a government that, despite the fact the minister says he wants to put students at the core of education, is putting the bottom line, and the bottom line alone, at the core of education in this province. He's prepared to hurt students if it saves money, and it doesn't matter what it means for the future of those kids.

It's a tragedy for Ontario that we are faced with this kind of an approach by a government that is blinded to what it is really doing if it believes it's not affecting classroom education; and if it really does understand that it is affecting classroom education, then unfortunately it is being dishonest with the public.

Mr John O'Toole (Durham East): It's a privilege today to participate in the Liberal opposition debate on education. By way of a starting point, I'd like to read some of the documentation here that serves as a background for what we're discussing today.

"We will expand cooperative education programs" and work to combine school experience and job training — a very good plan. We're all familiar with the plan. It's the commonsense approach to education.

"A...government will strengthen teacher education through new initiatives" and "will proceed with the creation of a College of Teachers." That's been done; that's Bill 31.

"Give the College of Teachers the mandate to strengthen teacher education...."

"Give the college the mandate to expand ongoing teacher education" and certification.

"Identify 'best practices.'"

That's Bill 31. That's a very good idea. I'm sure it's shared by the opposition, although I'm kind of reading from material here.

Support local schools and school councils: That's been done. We're very much endorsing that.

"Standardized testing: Only a minority of Ontario's secondary school students are part of any province-wide standardized testing program." Parents and students want to know where they stand.

Quality and accountability: It's been done. That's Bill 30. We're proceeding right along.

Tuition fees, by the way — I want Mr Wildman to listen — went up 42% during the reign of the NDP, or the reign of terror, as we often refer to it; the reign of fear, actually.

Another thing here that's very important is, "Spending less on administration: Sixteen cents out of every provincial dollar and an average of 55% of property taxes are spent on education and training." We must make more use of the taxpayer dollars and get "value for our dollar."

"Our government will further cut spending on administration and get rid of waste and duplication...."

By the way, I'm actually reading from the red book, and that's Bill 34, the last one I just talked about. I may as well put this down, because they just copied our book, because this is the book that's doing it, and Bill 30, Bill 31 and Bill 34 are central pieces to the restructuring that is so important for our children's future and the future of Ontario.

1640

I guess it begs the question, how would the Liberals have addressed the changes, or would they have done anything? Our plan could be captured simply by three small words: to provide a system that is affordable, accountable, and quality. Let me just speak on those three words. Affordability: That's Bill 34. Accountability: That's Bill 31. And quality is Bill 30. The difference with the Progressive Conservative Party versus the Liberals or the NDP is we are actually doing what we promised. There are really no surprises here. I'm very proud to support our Minister of Education.

I'll give you an example. He issued a memo, a directive to the boards and to the directors of education, on March 6. If I could for a moment, I'd just like to read from that, and this was talking about the \$400 million in savings. "Education savings strategy amounts are really 3% of the spending on education." That's what the reductions were. Let's put them in perspective. People of Ontario, my family and people in my community, are learning to do more with less. It's very tough for people who have been spoiled for years. Education spending has been going through the roof. We spend \$500 more per student and \$1 billion more as a province than any other province.

Our reduction strategies announced on March 6 were clearly outlined to the boards, where their elected responsibility should have been, at the board table. First there was a recommendation of \$65 million to be achieved out of the current \$890 million spent on administration — almost \$1 billion spent on administration — and out of

the \$1.2 billion spent on custodial services and maintenance services. That was \$65 million.

We also recommended that there would be \$16 million that would be saved in transportation. Do you realize that with all the busing going up and down the roads, we spend over \$600 million in transportation? They wanted to save out of that \$600 million a mere \$16 million.

There was another recommendation to save \$150 million, and I admit that we changed the funding structure for junior kindergarten and adult learning and full equivalency for the funding that would be available to a regular student. Now, you've got to recognize that junior kindergarten is a half-time program. And also, to round out the \$400 million, there was \$167 million that was removed from capital.

The overall reduction really, when you look at it, wasn't as staggering as the newspapers and the school boards were all terrifying people about. It was less than 1.8% of operational spending. Put that into perspective. All I heard was school teacher layoffs, all of these draconian measures that we're doing. They were afraid to bite the bullet and get onside with a province that is staggering in debt.

I want to look at the NDP. They actually did a lot of good things in education. Mr Cooke was excellent, I believe, and some of his ideas. The difference is, we're following through. The NDP government commissioned the study on school board amalgamation. A former Liberal member, John Sweeney, headed the commission, recognizing that they were overgoverned. I think we'd all agree with that. In fact, Mr Cooke agreed. In fact, it was the terms of reference in the whole report. I would guess that the report, we'll all debate it, but 47% of the actual spending was said to be outside of the classroom. We could all argue about the dollars, but let me tell you that the 7% we're talking about here is the \$1 billion that we're after.

I'm going to give you a couple of working examples here from my riding of Durham East and how effectively some of the boards are working. By the way, there are five school boards in my riding of Durham East — count them — not including the Christian school. There are five school boards in my riding. I think we could do it with less. That's all we want, to have less administration. The Liberal red book said that; they wanted less administration. We can find the money if we just get off the rhetoric and get down to actually trying to solve the problem.

For example, in my riding of Durham East I would think with five boards there is some duplication. Would you agree with me there is some duplication? Thank you very much, Mr Wildman.

I would say also, and flattering the boards, most of them have decided to keep junior kindergarten. Almost without exception they've decided to keep junior kindergarten, and indeed adult education. For example, the Northumberland-Clarington board and the Peterborough, Victoria, Northumberland and Newcastle Roman Catholic Separate School Board are working in cooperation. I'll give you one example. They went to a program of alternate-day, full-day junior kindergarten, and in that one grade, that one board saved over \$800,000 in busing

alone. Imagine how many teachers you could pay with \$800,000, how many jobs they actually saved by those elected trustees making a decision to save the people of Ontario waste and duplication. Every one of them called me: "Watch the buses running up and down the road — one for high school, one for the separate school, one for the elementary and one for the separate school," four buses on the same road in many cases. Unacceptable. This is what this is about: restructuring, affordability in education.

Another example of a saving initiative by cooperation between boards, which is part of Bill 34, is in the Campbellford area. They saved almost \$50,000 in that one small, rural area by combining the public and separate board busing and changing the start and stop times of the school day. I think that's commendable for those boards.

I'm disappointed, however, that most boards did pass on a slight tax increase. They still haven't learned that revenue never stops; it's just a continuously expanding pot of money. Well, Ontario's in tough shape.

I would like to say, though, that we shouldn't completely depend on all our own ideas, because much of this spending is addressed in the red book. They said that they would reduce administration spending, waste and duplication. I don't need to go on with this because we are doing it. The difference between the red book, which the Liberals — it's their opposition day. We're actually delivering.

We do respect that the majority of teachers are professionals. They are dedicated and hardworking. Many teachers have told me personally that they do not want to be part of the problem; they want to be part of the solution. They don't want to lose the young teachers they work with. They know the changing technology and methodologies of teachers, and many of the students I've talked to said the same thing. The teachers they don't want to lose are the young ones. I believe the unions have a challenge where they have to look at the seniority provisions and the other provisions to allow us to keep the young teachers, to work in a cooperative way to solve the problems. Many teachers, independent of their unions, have told me they are prepared to share in the restructuring of education.

My wife's a teacher. I have five children, and education to me is priority number one. I believe if we work cooperatively and lower the rhetoric level — let's get reasonable. The reduction to education funding is 1.8% of spending once you address the capital side of it. This is achievable but there has to be agreement on the Liberal side. I'm surprised how few people from the Liberals are here today to participate in this very, very important debate.

I want to summarize by saying that Minister Snobelen is working hard to restructure education to make it accountable, affordable, and with quality and excellence in the results. The number one customer in education is the student, and then it's the classroom teacher, and anything above that, I believe that cooperation between boards, public and separate, is the way to go to save the taxpayers of Ontario dollars that they have no more of.

Mrs Elinor Caplan (Oriole): I'm very pleased to rise in this important debate today. I listened to what I thought was outrageous rhetoric coming from the Conservative benches. There is nothing in this motion that any member of this House should not be able to support, because all this motion does is call upon the Mike Harris government "to fulfil its promise not to affect classroom spending; to refocus its priorities on the quality of our education system rather than simply cutting and slashing programs; and to promise no further cuts to the education system." That is what they promised in their revolutionary election document. They said they would not cut classroom education, they said they would not hurt students, and yet their policies have done exactly that.

Every study that has ever been done says that not only is junior kindergarten valuable and important, but acknowledges that children, particularly those who come from a disadvantaged environment, the earlier you can get them education, the better achievers they become, the better the opportunities they have; and because you have moved in quickly to intervene, to assist, to educate, the fewer problems and fewer costs you have down the line, the fewer jails you have to build and the fewer special education classes you need. We know the importance of junior kindergarten; we know the importance of educating young people as early as possible and giving them that head start and that opportunity to achieve.

1650

We know the outrageous dropout rates there are in this province and the enormous cost to our economy. There are adult students — we call them adult learners — people who have dropped out whom we have always tried to encourage to go back to finish high school, get their diplomas so they can then move on to upgrade their skills, get off social assistance and family benefits and welfare and all those kinds of supports they have been forced into simply because they didn't have the skills to get a job. By going to school, by upgrading their education, many adults become productive citizens in our society.

What has this government done? What this government has done is not keep its promise. They have cut support to the classroom; they have hurt students, both young and adult; they have hurt the quality of education.

It is teachers who deliver educational services in this province. When you lay off teachers, when teachers get pink slips from their boards of education, which have been forced to cut because of the policies of this government, when members stand in their place and say they shouldn't raise property taxes, let me tell you that you can't have it both ways. You can't say to the boards, "We're cutting your transfers, we're cutting your dollars, and we don't want you to hurt classrooms and you can't raise property taxes." The boards are telling you it doesn't work that way, that you get what you pay for. If you want junior kindergarten, you have to pay for it; if you want adult education, you have to pay for it; if you want quality education, that costs money.

My constituents in the riding of Oriole care about education. They know that the opportunity education affords their children is one of the most important things we can do to ready the next generation for the economy,

for the world and for giving them an opportunity to succeed and be self-sufficient and self-supporting. They know that education provides opportunity. They know that the North York Board of Education, Metropolitan Toronto and the province of Ontario — we have always been proud of the quality of education we have provided.

We've always recognized that we can do better. There may be efficiencies possible, we all want those efficiencies, but the difference between the Conservative policy and the Liberal policy is that we believe any of those savings should be rechannelled into education and support of our students. Unlike this government, which would take those dollars and give them to the wealthiest in society, we have said education must be a priority for students in this province.

This opposition day motion brings to the attention of the people of this province how your policy has failed and how your promises have been betrayed. I hope the resolution will pass this House.

Mr Marchese: I'm happy to take part in this discussion in support of the resolution by the Liberals and want to comment on a number of things about this government and its views on education.

First of all I have to say they speak a good line when it comes to education, because it makes it appear that they really are sincere, but when you look at everything they have done, it is nothing short of a scandal in terms of what's happening in the classroom.

They talk about education and they say how important it is and how much value they place on it because it is the future of what children get into and what they need to be able to be better prepared for the work world and they're providing that kind of opportunity for those students.

They're not doing that. The toolkit that they had promised school boards is empty. There is nothing there. All it does is take money away from all boards of education and put nothing back. This is contrary to the promise they made, of course, that they wouldn't take one cent away from education, and lo and behold, when you add it all up, it's close to \$1 billion.

You can't say that when you take \$1 billion away from the educational system, you're not hurting it. It is a mythical thing to say that you will do more with less. It's mathematically not possible to do. In the mythical world of the Tory reform wasteland, it is possible to do more with less, but in the real world, it is not mathematically possible to do more with less. You're cutting away. You're cutting \$1 billion and you're hurting the classroom teacher, you're hurting those students and you're hurting the parents of those students, because that's what you're doing.

When the member for Durham East talks about ending some of the duplication and getting different boards involved, both Catholic and public, that's a good initiative. Who will disagree with that? We've done that in the Metropolitan Toronto school board, of which I was a member for eight years. We pioneered that. It's nothing new to the system, nothing new to this province. We have done it. All this does, of course, is extend that and permit boards to continue to do that. That's a good thing; nothing wrong with that.

But when you get to the serious parts of what Bill 34 does, and you look at in the detail that one should look at it, all you see is nothing but damage to the educational system. When the Minister of Education and Training speaks of the Liberal resolution as being obscure, grossly exaggerated, misinterpreting facts, more-with-less kind of stuff, it's all hogwash.

The resolution speaks about the genuine fears that parents, teachers and we, as politicians on this side, have with respect to what you're doing, particularly as it relates to the measures taken in Bill 34. It is scandalous. What they have done with junior kindergarten is a travesty in this province. Junior kindergarten, in the way that we had introduced it, allowed for universality across Ontario. It did not distinguish between one board or another, from Metro, the east, the north and so on. It did not say to the Catholic school board, "If you can do it, do it," or to the public board, "If you can do it, do it, or not." It was a universal program which we argued was important to do because it benefits all children. It benefits particularly those children who come from poorer backgrounds, from backgrounds where they haven't had the economic and financial and professional advantages that so many families have. It was designed to redress inequality in society. When you take the universality away, you are hurting those students who come to the educational system vulnerable, less prepared socially at times, and intellectually at times as well. You're hurting those students in particular. You're widening the gap of the inequality between those who do well, who have, and those who do not have, from a social, psychological and economic point of view.

You are increasing the gap between the rich and the poor. You're making it much tougher for those students who would have the advantage of equal opportunity, which you speak of so well but know nothing of, if you had maintained the junior kindergarten program as opposed to taking it away.

All we can do is simply make our arguments with the public so that they understand that the measures contained in Bill 34 are essentially hurtful to students, teachers and the parents, as well, of those students. You are forcing one board, a Catholic system, to compete with the public system.

1700

I indicated in my remarks before that some people are switching their tax assessment to be able to get on to the other system that's offering the program. That's a bad thing. It's unhealthy competition that you're offering. If some board decides, because it's financially able to offer the program, to offer it, you force the other system, be it public or separate, and you force the parents of that particular system to switch their assessment. It's wrong. It shouldn't be that way. It shouldn't be that you have a patchwork of boards offering a program and another patchwork of boards across Ontario not being able to offer it. It's a problem. It's wrong. You are directly responsible for that.

You can say all you want that it's boards that are cutting away the program, but once you have eliminated the universality principle, then you are directly responsible for that because you know that some boards will not

be able to do it. You will not be able to say, "We didn't do it," because the majority of those people — trustees, yes, teachers, yes, and parents — will know that you are the one who made it impossible for them to offer that program because you've taken it away, and that's a problem.

When we speak of equality of opportunity, you've taken away an important measure that gave students, and the parents of those who don't come with the same advantage, that opportunity; you took that away.

Before I get to adult education, I want to talk briefly about the fact that some of you, including the member for Durham East, talk about or make reference to the Sweeney report and say that 47% of educational costs are non-classroom related. It's a mythical figure. It means very little because all the people I will mention are connected to the classroom.

Consultants are connected to educational programming. Vice-principals are connected to the students and the education of those students. Principals are connected to that as well. Social workers and psychiatrists wherever they're hired, whether they are there as staff or are hired, to offer a service to students are connected to the classroom. Educational assistants are connected to the classroom. They help the special education teachers, indeed most other classroom teachers, to deal with classroom problems. You can't argue that's not classroom related.

When you make the point without understanding it, you're hurting. You're hurting me in hearing it, you're hurting the parents, you're hurting the teachers and you're hurting the students.

Even the bus driver who drives the bus is connected to the classroom. Everybody who performs a function in the educational system is offering something to the education of that child. If you take the educational assistant out, you're hurting the classroom. If you take the social worker out, you're hurting the classroom, you're hurting the teacher and you're hurting the student.

How some of you could argue that without putting some substance to what you're saying is hurtful to the rest of us who have to defend why these people are in the educational system in the first place.

On the matter of adult education, you're taking the goalposts away, you're taking the net away and you're taking the floor away. By reducing the funding to adult education students above the age of 21 by half, you've said that they are not valued, that they're not important. When you ship them to a system of continuing education, which is an optional program across Ontario, you're saying to those adult students that their education is not as important as the rest of the other students in the elementary and high school system. When you miss the understanding of the continuum to offer educational opportunities to adults, it's a problem.

This resolution is clear, it's good, it should be supported. What this government is doing with its \$1-billion cuts is going to hurt the educational system and it's going to be permanent, and I'm not sure we'll be able to remedy that particular problem you've caused.

Mr Tim Hudak (Niagara South): I want to begin by saying I'm very pleased to join the debate this afternoon on the future of education in the province of Ontario. I

think I should, for the sake of my arguments, begin by describing the state of the education system inherited by the minister about this time last year.

Contentions I often hear from across the floor and in the press sound like a flock of Chicken Littles. As far as education goes, I tell the members opposite that the sky fell some time ago and that this government was elected to pick up the pieces.

I start with Humber College, for example, one of Canada's largest community colleges, which you're very familiar with, with an enrolment of approximately 25,000 students. Every year Humber administers a basic English test to its new entrants. Not only does one third of these students fail this test, but the samples of their writing are often deplorable. One Ontario high school graduate recently was quoted as writing, "...bilingualism, which means men and women getting the same pay for the same work." English placement tests given to students at Humber College reveal that two of every five had problems constructing sentences or correcting certain grammatical errors such as verb tenses. Technology professors at the school reported that first-semester failures had grown over the past few years from an acceptable rate of 6% to about 50%.

Parents for some time have complained about the declining quality of the schooling their children receive, and many are even more disturbed about the dangers to their children's physical wellbeing. In the past 10 years, large numbers have taken their children out of the government-financed systems and put them into private schools or home schooling instead.

Ordinary classroom teachers complain that the atmosphere in which they are required to teach is often not conducive to learning.

Taxpayers complain constantly about growing costs with diminishing returns in terms of educational quality, and it is a rare person indeed who believes that our schools are giving children the tools they need to meet the problems of everyday life.

Change was needed, change was necessary and change took over these chambers almost a year ago this month, and under this minister and under this Premier we are bringing about change to make education truly work for students, teachers and taxpayers once again. Change does not mean merely throwing more money at the problems. As we heard earlier from the minister himself, Canada is in the top tier of developed countries when it comes to spending on education. In that realm, Ontario spends close to \$1 billion more, or \$500 more per child, on education than the average of the other provinces, with only mediocre, at best, testing results. Our change is about excellence in education.

If our students are not winning their share of awards internationally or even in Canada, what do we have on our mantle to show for our spending over the past 10 years? From the beginning of the 1980s to about 1991, the school-age population in Ontario dropped and the number of students enrolled increased by barely half a per cent annually, pretty much at a constant rate. Running against this trend, local government spending on education tripled, while school board employment — jobs at the board, not in the classroom — showed average yearly

increases of 2%. While the population grew by 2% at the boards, remuneration increased by over 9% per year.

At the same time, our secondary schools saw the number of consultants grow by 80%. The number of teachers and principals working outside the classroom has increased by 128% in that time. Obviously this minister and this government have inherited a highly bureaucratic system with between 40% and 47% of spending taking place outside the classroom, as verified by the independent Sweeney report.

Currently, as we've heard a couple of times today, Ontario schools spend approximately \$890 million on board administration, \$600 million on transportation and \$1.2 billion on custodial and maintenance services. Bill 34 is about finding savings in these areas so as not to affect the classroom. If Bill 34 were not to pass and we simply dole out more dollars without accountability and emphasis on measurable results in the classroom, we will exacerbate the problem. By handing over more money and running up the debt, we would simply shrug off these important responsibilities on to the next generation. Deficit financing would be the refuge of a craven politician, but making difficult choices, determining what pieces of the broken education system to pick up and build anew and what pieces to leave behind takes thoughtful and brave leadership.

1710

Here are some choices we have made in less than a year to get the bureaucracy under control, to put together the pieces again and to restore excellence to education. Out of the savings this government has made so far we will double the funding available for innovative uses of technology in the classroom to \$40 million. We fully anticipate that these funds will be matched by the private sector and by school boards. We have forged a partnership with the Canadian Living Foundation for Families to help parents and communities set up and expand local nutrition programs to ensure that elementary school students receive the nutrition they need to succeed in school. The 1996-97 budget provides up to \$20 million to help preschool children with speech and language disorders to prepare them for education in the next few years.

Many parents are denied control over the kind of schooling their children receive. Power over time has instead gravitated to the professional educrats. Without a doubt, teachers play an important role in the development of our children and take the students' wellbeing to heart, but we should make no mistake that parents are the ultimate stewards of the next generation and the final trustees of their own children's futures, so this government is going to champion the rights of parents in the education system. Empowered parents, families and taxpayers, not government officials, educrats or teachers' union bosses, will ensure that accountability and measurable classroom results are restored to the system.

In that vein, we have made provisions for the establishment of parent councils in each school to give parents more control over the education of their own children. At the same time, student achievement will be measured through an ongoing province-wide testing system which will be publicly reported by the Education Quality and

Accountability Office. This will help parents and students measure how well the system is operating and will also put an end to Ontario's disastrous policy of social promotion that pushes poorly prepared students ahead from year to year without ensuring that they have acquired the necessary skills to advance to the next level.

In an effort to further promote our goals of excellence and accountability, the Ontario College of Teachers will be established. Teaching standards and ongoing professional development of teachers will thereby be ensured. As we relieve the burden of made-in-Toronto mandates, we invite parents, taxpayers and ordinary classroom teachers to participate in local decision-making for a change.

We are fulfilling our commitment to restore junior kindergarten as a local option for school boards. Many parents and taxpayers have questioned me whether junior kindergarten was a program they wanted to fund in the first place, and if they did support this program, many questioned whether using a full-salary teacher was the best way to deliver this program. Now JK will be a local option chosen by trustees to reflect the views of their local constituents.

I think taxpayers, teachers and administrators agree that the needs of adult students often differ from those of younger students. Adult students in Ontario will continue to have their needs for secondary school level education met, but boards will be given the flexibility to make determinations at the local level to meet these needs in less costly ways. I believe the summary of our work to date shows that the minister and this government are making the difficult but desperately needed decisions to make the education sector make sense once again.

I believe this resolution before the assembly today asks me to fall in line and march with the Chicken Little crowd and the placards, despair and hyperbole, but the education system in Ontario went off the tracks some time ago when Taj Mahals took the place of textbooks.

I believe the changes we have made, like investing in technology, strengthening the role of parents and taxpayers, administering province-wide testing to ascertain our strengths and to uncover and eliminate our weaknesses, represent desperately needed improvements to the system.

To stop now and to embrace the failures of the past, as this resolution would have me to do, is tantamount to abandoning a brighter future for our children, to giving up on a stronger role for parents and taxpayers, and to stepping away from the path to excellence in education.

I for one cannot do that and I will not be supporting this resolution before the assembly today.

Mr Frank Miclash (Kenora): Thank you very much for allowing me to participate in this opposition motion put forward by my leader today.

When we talk about education we talk about a commitment made by this government that education in the classroom would not be affected. As a former educator, I must say those are the people we must look out for, the students in the classroom.

The commitment was made by this Premier, this Minister of Education and this government that there was no way education would be cut and that the students in

the classroom would not be affected. We have seen many examples, many from my own riding, where students have learned that their programs are going to be taken away from them — extracurricular programs, programs that they so much depended on, programs that kept a good number of students in the educational system.

Again, as a former educator I remember the days when you would need a little bit more encouragement to keep that student in the programs they were involved in, to get them through that final year, to get them that grade 12 graduation diploma. What we're finding now is that with the cutbacks in education this is no longer true. These programs will not be available for the boards of education to offer.

When we take a look at the adult education being cut, the adult education that will come out of each individual board, where that adult will not have the ability to return to get the skills they may have missed out on during their years in school, we take a look at a very significant impact on those people who are in need of maybe those extra credits to get them into the workforce.

I can give you an example that happened in my office within the past six months, where we had a student come out of the adult education system, a student who worked in my office for a number of months on the co-op program through the adult education program offered by the Kenora Board of Education. She gained the skills she needed. She gained the skills to allow her to go into a full-time position, which she now retains to this day, with another agency within the municipality. But had it not been for the adult education that she received through that program offered by the Kenora board, she would in no way be the productive person she is today, contributing to society as we see it.

The minister often talked about the creation of a crisis. We noted that crisis in the Kenora region when the students learned that programs were going to be taken away from them. We noticed a number of students who were not happy, students who walked out of many schools. Whether it be Thomas Aquinas school in Kenora, Lakewood school, the high school in Dryden, the high school in Sioux Lookout, students were hearing and were noting that yes, these cuts were going to affect their education system. They were not happy.

I personally invited the minister to come to explain to those students how it was that he could stand in his place and say that those programs would not be cut. He has yet to take me up on that invitation. I hope he does do that.

Then we had the Minister of Education who got caught cooking a deal with one of his cabinet colleagues and indicating to that cabinet colleague: "Oh no, your board won't be cut. We'll take care of you." Of course when that deal was discovered, we saw a great amount of scrambling over in the government benches. They had to come up with why that deal was made for that particular board.

My school boards, throughout the entire region, felt that they were in the same category. They were in areas of low student population, had low transfer payments. They were in that same category, but when they came back to the minister to ask as to whether their transfer grants would not receive such a large reduction, they

were told no, they didn't actually fit into the category. Again we look at a category that was cooked up after a deal that was made with a cabinet colleague of the Minister of Education.

I have yet a number of examples from the Kenora Board of Education, which indicated that there were going to be impacts in its classrooms. They talk about the curriculum support cut by 33%. That means that a teacher in a classroom who had a student with special needs in that classroom will no longer receive the assistance they need to help out with that student with special needs. Speech language pathology services were cut from the Kenora Board of Education. Junior kindergarten is no longer a reality for the Kenora Board of Education because of the cut in transfer payments. We keep telling this government it is responsible. The number of people who are incensed by that, that they cannot offer junior kindergarten across the province — a very large impact.

We're talking about larger class sizes in the school system throughout the smaller communities with smaller boards. Teachers will be faced with many more students in the classroom. As a former educator, I cannot say enough about how that is going to have an effect on each and every student in that classroom.

Thank you for the opportunity to again speak in favour of the opposition resolution for today. I look forward to supporting it in the vote.

1720

Mr Peter Kormos (Welland-Thorold): Notwithstanding that this is a resolution brought to the Legislature by the Liberal Party, I feel compelled to indicate that I find myself in accord with it. We witnessed some incredible attacks on public education in this province over what will be in but a few days the course of the last year. It's impacted on an incredible range of people as well. I speak directly to the folks in Welland-Thorold, but as well to literally hundreds, and by this point probably thousands, of people I've talked to across the province.

Just the other day last week a young student from Welland High and Vocational School over on West Main Street in Welland asked me to deliver this letter to the Legislative Assembly. This young man writes to the Speaker, which I suppose is you, Speaker, and Her Majesty's royal opposition, which I suppose entails both of the opposition parties. This young man, James Bottrill Jr, writes:

"Ladies and gentlemen my family has become very interested in the proceedings of your legislation. In particular to the proposed cuts in the educational system and other public services."

This is a high school student. There was a time when high school students would have had the privilege or luxury of being preoccupied with other things rather than the sort of despair that's inherent in concern about the future of their educational system and the public institutions in their community. That in itself is something that should be of some great concern to more than a few people here, that we have young people who are being compelled to become preoccupied with maintenance of public institutions rather than being preoccupied, as one wishes they could be, with their studies, with their social life, with summer jobs, with hobbies and activities like that.

Young Mr Bottrill writes, "I've had an idea ever since Mr Harris said" — and he quotes Mr Harris; it's a little bit of a paraphrase, but it's close enough to bang on — "I went through university living on baloney and macaroni."

"Well, Mr Harris, I say to you and your party. So what. If it didn't kill you then it shouldn't kill you now."

"I propose that the Ontario legislation cut the deficit from where it began. In the Ontario legislation of Parliament. By cutting your own pay back to a \$6.85" a day "without benefits. If anyone believes that they cannot live on this I suggest that they consult one of Mr Tsubouchi's employees and apply for social assistance."

"Thank you for your time."

That's from a concerned young student, James Bottrill Jr, from Welland.

It's a little bit tongue in cheek. There's something Swiftian about the content of the letter.

Mr Mike Colle (Oakwood): A modest proposal.

Mr Kormos: Quite right. But it certainly betrays the depth to which the impact of the cuts and the axing and the slashing — basically it's vandalism. It's public vandalism of a type that the people of this province aren't going to tolerate. And it's not just a little bit of graffiti; we're talking about destroying institutions.

I've been blessed. Like more than a few people here, I'm the first generation of my family to have ever received an education beyond high school. I didn't do so well at getting a high school education, but I was blessed to receive education beyond high school. The first generation in my family — like, I'm convinced, more than a few other people in this very chamber.

I recall my parents and their parents before them working — working harder than any of us have ever imagined — and sacrificing and doing without. They sacrificed and worked hard — incredibly hard, slavishly hard — and did without for the most modest of goals: to help build some of these institutions, some of these public bodies in our society, like health care, like a public education system so that their children and their grandchildren, unlike them, could get a high school diploma and a college degree or a university degree.

Young people are in a state of despair and fear about their futures. Their parents and grandparents are in a state of mourning, because their parents and grandparents are witnessing what they've built with such care and passion and incredible sacrifice being vandalized, destroyed, burnt to the ground by a government that received no mandate for this sort of nonsense.

What was the promise, Speaker? You know what the promise was. Don't be coy, Speaker; you can speak up. The promise was not a penny cut from classroom education, and you know it as well as anybody else in this chamber. Not a penny. Yet we've seen over 10,000 pink slips given out already in the province of Ontario, hundreds of them down in the Niagara region alone: qualified, competent, caring, compassionate, skilled professional teachers being told, "No, there's no room for you in our classrooms"; support staff to make those schools better capable of accommodating young people in the course of their education being told, "No, there's no room for you in Tory Ontario's schools or classrooms."

We've seen the abandonment of junior kindergarten, one of the most effective and important stages in an overall educational program. We've seen tuition increases — and I know their lines. "The last government increased tuition, and that's the reality of it," but that makes the compounded increase by this government even more substantial and even more devastating: community colleges' tuitions up 15%, and in universities even more. We've seen a de-funding of community colleges and universities and high schools and elementary schools and preschools and day care centres and are being told that people should suffer an increased reliance on the charity perhaps of the local church. That's not the kind of society that our parents and grandparents worked so hard to build and sacrificed so much to invest in.

I tell you, like young James Bottrill Jr, of whom I'm exceptionally proud — and you recall, Speaker, that there were a group of students here from the Welland-Port Colborne area just the other week wearing their pink ribbons — pink ribbons to symbolize the pink slips. It's a style of student activism that warms my heart, that reminds me indeed of those wonderful decades following the 1950s. But I tell you, these young people are becoming increasingly concerned, to the point where they are going to respond with far more than mere letters to this government.

I encourage the public of Ontario to join with them when they join together, marching as they did in London, in Hamilton, in Kitchener, as they will shortly in Peterborough and then here in Toronto, in North Bay, Ottawa, Sudbury and Sault Ste Marie, until they bring this government down and bring this craziness to an end.

1730

Mr Bill Grimmett (Muskoka-Georgian Bay): Like some of my colleagues, it is a privilege for me to speak today on opposition day on the resolution put forward by the Leader of the Opposition. I want to say at the outset, being the father of two boys attending school currently at the Glen Orchard public school in Muskoka, that the subject of education is one which is very close to my heart.

I have previous experience as a school trustee with the Muskoka Board of Education and I've had the opportunity through that experience to learn how things really operate in a school board situation.

I honestly think that parents and most of my constituents I've spoken with understand the need to deal realistically with the fiscal challenges we have as a provincial government. I listened very carefully today to the comments of my colleagues, both on this side and also in the opposition. Unfortunately, the leader of the third party is not here now, but I want to say that when he was challenging the sincerity of the members of the government on our assertion, that when we make reductions in the moneys paid to school boards we're not sincere in saying the reductions can be applied in administration and will not affect the classroom, I want to assure the leader of the third party and all members that I am most sincere in saying that I believe the reductions we've made in education spending can be made in administration and do not have to translate into and affect the classroom.

On the issue of junior kindergarten, I think it's important we explore that issue and talk at some length about the whole issue of junior kindergarten. During the reign of the previous government, I was a school board trustee and the issue of junior kindergarten was debated many times at our school board table. I have experienced the slings and arrows directed towards school boards by supporters of junior kindergarten, and I quite understand, I think they're very sincere, those people who support the idea of universal junior kindergarten.

But while we're being condemned for providing a local option on junior kindergarten, it's important to emphasize that during the election all our candidates — I can speak for myself anyway. I made it very clear that we felt the decision on junior kindergarten should be made locally, and I made that knowing that the Ontario Public School Boards Association had felt and had told the provincial government that junior kindergarten should be a local option, that it isn't something that should be imposed by the provincial government.

While I can say I think the previous government was very sincere about its belief in the benefits of junior kindergarten and the need for universality in the junior kindergarten program, most boards of education thought it was very high-handed of their government to say, "You must have junior kindergarten, but if your grant structure happens to be very low, we're not going to fund junior kindergarten to the full extent." I can say that some boards went to the Ontario Public School Boards Association and said, "We should lobby the government to stop mandatory junior kindergarten because we as a board want to make decisions on how we spend the money we collect locally, and we also want to make decisions on how we spend the money we get from the province."

On the issue of junior kindergarten, I feel that we as a government, and during the election, were very clear on saying it should be a local option. That option is still there for boards to make and I know that in my own riding, in the Muskoka part of my riding, the board has agonized over the decision of junior kindergarten and they've chosen to keep it. They are well aware that it is a decision they will have to answer to the local taxpayers on, but on the issue of the reductions, the Muskoka board has had great difficulties in dealing with reducing grants from the province for years, and this year they have been able despite further reductions in grants to bring in a budget that actually lowers the local mill rate.

It's clear to me that the current debt this province has threatens the ability of the provincial government to deliver those services the public value the most. We've identified the services we feel the public have as a priority and one of those is classroom education. Currently on a per student basis Ontario spends more than any other province in Canada, and provincially the current system is in my opinion top heavy with administration.

I say that having been part of a school board, having experienced the decisions at the budget table over a four-year period. Many of the decisions that were made at that level were decisions I didn't agree with because I felt there were reductions that could be made in administration without affecting the classroom. I feel I know how school boards operate and I feel they can spend their

money more efficiently while improving the quality of education we offer to students.

As we work to achieve these out-of-classroom savings, it's critical to increase local autonomy for each school and encourage greater input from parents and from the community at large. The opposition seems most disturbed by the fact that the government has introduced measures to find savings outside the classroom. We've announced measures to provide school boards with the ability to adapt administrative structures to local needs, and I firmly believe these cost reductions can be implemented.

Over the last couple of months, I've had the pleasure of holding a couple of public meetings in my riding to receive feedback on the final recommendations of the school board restructuring task force, also known as the Sweeney task force. This task force was commissioned by the NDP, headed by a former Liberal cabinet minister and has been received by our Progressive Conservative government. The report recommends that non-classroom expenditures made by school boards be limited to 40% of their total budgets. Alone, this would reduce total expenditures in Ontario by approximately \$1 billion a year. Obviously the Sweeney task force believes there's room to find savings.

In March, the education minister announced the government's strategy to help school boards bring education spending under control and to achieve savings of \$400 million for the 1996-97 fiscal year. Those measures include savings of \$65 million from the approximately \$890 million spent annually on board administration and \$1.2 billion spent on custodial and maintenance services, and the boards have been requested to find savings of \$16 million in 1996 from total transportation expenditures.

In my riding of Muskoka-Georgian Bay, a rural riding, there's a newly created joint education task force of the Simcoe County Roman Catholic Separate School Board, which serves Muskoka, and the Muskoka public board. They've established a list of areas where the two boards might be able to work together to reduce costs and duplication. One area highlighted for improvement by the task force is transportation. A recent Muskoka Board of Education study found that 48% of the bus routes in the district overlap with bus routes for students who don't attend public schools. Local officials have identified this situation and are trying to remedy it. Currently, the Muskoka board uses a computerized program to plan the most efficient transportation routes, and the Simcoe county Roman Catholic board recently was able to plug its information into this system with the goal of creating an integrated transportation system.

I think this is the kind of local joint initiative that all boards should consider as an area for potential savings. I know, in speaking to some of my colleagues, that other boards have moved even further in this regard to provide a joint initiative to save money on transportation.

The opposition would have ratepayers believe that government reductions will only lead to increased property taxes. In Muskoka, it didn't happen. As I indicated, with a more than \$1-million reduction in provincial grants on a \$50-million budget, they were able to come in with a reduction in the mill rate this year.

Muskoka is a smaller board with a significant cottage assessment. It's one of almost 30 smaller school boards across the province which will see their funding reductions capped. This cap was introduced to help those boards with less than 10,000 students deal more fairly with the reductions. When asked by a local reporter when the last time was that the Muskoka board was able to offer ratepayers a zero increase, the board's director only half-jokingly responded, "In 1812."

I wanted to comment on the suggestion by the member for Welland-Thorold that our government was guilty of public vandalism. I have to say that many of my constituents have come to me and asked, "When are the reductions going to be made in education?" There is a feeling in the land that reductions can be made in education without harming the children.

Recently I had the pleasure to join committee hearings on Bill 34 as we toured in Sault Ste Marie and Thunder Bay. Bill 34 introduces a number of critical measures which, among other things, provide greater autonomy at the local level. Among those are making junior kindergarten a local option and making adult education more affordable for school boards. It will provide flexibility to school boards with respect to adult education by enabling them to direct certain adult students to continuing credit courses. They'll continue to have their needs for secondary-school-level education met, but boards are being given the ability to make determinations at the community level to meet these needs in less costly ways. I believe the public supports that kind of initiative.

Bill 34 also encourages cooperative initiatives with other local boards and public agencies. School boards will be required to report annually on such efforts to improve efficiency.

For years now we've all known that fundamental changes are warranted in the area of education funding. This is a major issue in my riding, where the current system threatens the economic wellbeing of Muskoka-Georgian Bay. I've been asked many times if we are planning on revamping the assessment system in the way we finance education, because it is a particular sore point in the Muskoka part of my riding. So I'm pleased to see that our government is reviewing service delivery in the province, looking at issues such as assessment and the financing of education, and I look forward to seeing the recommendations of the Working Group on Education Finance Reform.

The size and makeup of the boards in my riding place them in a rather unique situation. While the provincial government remains committed to reducing out-of-classroom expenditures, I anticipate this will be done in a way which will not result in significant inequities for boards in unique circumstances such as the one in my riding.

1740

Mrs Marion Boyd (London Centre): It's a pleasure for me to be able to join in this debate this afternoon and to affirm our support for the current resolution.

Our party is equally concerned about the effects of Bill 34 on the way of educating the children in our schools, both at the public and elementary level and at the secondary level, but also in our colleges and universities.

We've seen a number of bills that have affected education. Bill 34 is one of them, but there are a number of other actions this government has taken, and the cumulative affect of those actions will over time, we believe, erode the education that's available to the people of Ontario.

There's been a lot of discussion this afternoon about the effect on adult education of the decisions that have been made by the current government. I was most offended when the Minister of Education made some comment that it really wasn't very healthy for adult students to have to put up with the regular school system anyway, because as we've heard this afternoon in the debate, in many jurisdictions the local boards understood that very well and had the courage and the foresight to set up schools that were dedicated to adult education, dedicated to dealing with some of the issues that school dropouts had identified.

Other boards have had the courage to set up alternate programs for other groups who have special needs. In my community, we have a native alternate school that deals particularly with the issues that aboriginal people have had within mainstream education.

We see the junior school problem being a very real problem.

One after another the Tories have stood up this afternoon and said: "We believe in local autonomy. We're letting people make their own choices." Frankly, it's like asking a hostage to make a choice with a gun to his or her head. That's the kind of choice we're talking about.

Our boards of education are made up of fine people who work very hard to try to provide the kind of education the people of their community demand. There is no question that it is hard for all of us to accept the kind of changes we need to make, but those school boards have found themselves suddenly facing very difficult choices because of the decisions that have been made by this government, decisions that most people in this province believe to be totally contrary to the promises this party made during the last election. What is more, if this party believes that the way in which they are trying to spin this story as being better for education is going to work in the long run, we believe they will be proven wrong.

Education is an investment, and as with most investments, the returns only come down the line. One of the tragedies of the kind of decision-making this government is making is that by the time they discover their mistake, a mistake that all of us on this side of the House are doing our best to point out to them now, it will be too late for many of the students in this province. Many of the young students will not have had the head start they need in order to level the playing field, to enable them to participate fully in their future education. Many adults will have lost the opportunity to retrieve the lost years that they found, and they will not be able to obtain an education within their own communities to which they're entitled, and which this government in fact requires of them. This government says it wants to end dependency on social assistance. Well, education is one of the most important factors in that, and yet at the same time that this government is constantly castigating those who are

on social assistance for being lazy or unable to get work, it is taking away the very tools those people need.

What about the others who have special needs? In my community I am constantly hearing our boards of education talk about how costly it is to meet the special needs of disabled children. One of the biggest tragedies that we foresee is constant and increasing pressure within local school boards that they not provide the level of education to people who have special needs simply because it costs a little bit more than it does for a student who is fortunate enough to have no disability.

So our party will be supporting the official opposition in this resolution and we urge the government to hear our concerns.

The Acting Speaker (Mr Mike Colle): Further debate?

Mr Richard Patten (Ottawa Centre): Mr Speaker, thank you for the opportunity to wind up this debate this afternoon. I have listened to every speaker and I have taken note of some fine arguments. I have listened to what I think are some arguments that indeed are mythological. I would like to try and address those, but I would like to first of all address what I think is occurring in Ontario today in terms of the government, and that is really what are our priorities and what are the government priorities, because that very much has a lot to say about education today.

Over the past 12 months it seems to me that what was talked about and what was said in the Common Sense Revolution brochure that the members refer to very often, the principles of accessibility, quality and excellence, in fact are more and more being pushed aside by an economic agenda. We're quite concerned about this. We're concerned about this because it's obvious that the supreme value is really economics.

In my opinion, you will have heard very often the Minister of Education and Training talk about quality, accessibility and affordability. You will note that of late the minister seldom refers to accessibility, because that's one of the things affected by the policies, and conclusively affected by the policies that are here. It has affected the abandonment of junior kindergarten, and everyone must agree that is a classroom. There's another myth: the classroom, the definition of the classroom.

What did the government do? They took the definition of the classroom and they shrunk it at both ends. They took out junior kindergarten at one end for some boards, a good many boards, and they took out for some boards, and a good many more boards, adult education at the other end and said, "Well, now, that's the classroom." It's interesting that it wasn't the classroom when we were in the election.

Also, and the member for Durham West talked about this in terms of junior kindergarten, while it would be a local option, there was no reference whatsoever in that brochure to, "And by the way, we're going to cut half the funding for it." There was no reference at all that that was there. They cut it in half and therefore provided the option for many boards, as you well know, as no option.

1750

They also abandoned many people who were involved in or would like to continue to be part of, and in the

future will not be part of, the adult education program. It's abandoned its immediate responsibilities for adequate facilities for students for this year; next year and the year after will be greatly affected.

Indeed, a crisis has been created and ironically a crisis has been created in the minister's own riding. I'm going to be attending a meeting tomorrow night because a school board in the minister's riding is concerned. They have a crisis on their hands with so many portables and they're prepared to take serious action, even to the point of asking their residents to up their property tax for education.

Remember, the government said this would be in the face of no tax cuts, but of course we know darned well that when you pass on responsibilities to other levels, you either can't deliver the service, or to deliver that service you must receive that revenue and therefore you either charge a user fee or you charge a local tax.

The government has abandoned some crucial programs, has redefined education, but effectively has eliminated the classroom for many people because it's redefined.

This is another myth I would like to deal with that continually is being addressed, and three or four members of the government party this afternoon addressed this. I don't know how often one has to say things, except I suppose that is the minister's strategy, that if you say it long enough and if you say it often enough, people will begin to believe you. You know what? Sadly, there is some merit to that argument, whether or not the argument in truth is valid or not.

For example, the minister continues to refer to outdated statistics of three years ago that Ontario is the second-highest and spends 10% more per pupil than the average of the other provinces, which amounts to \$1.3 billion. Isn't it interesting that's the \$1.3 billion the minister will probably take right out of education?

Unfortunately for the minister, it isn't a reality; it's a myth. We have brought this up at committee, at estimates. StatsCan data argue the case and they fly in the face of what the members on the other side and the minister continue to refer to. Ontario per pupil expenditure is sixth in Canada after the Northwest Territories, Yukon, Quebec, BC and Manitoba, and believe me, it'll get worse. Ontario's average expenditure is 2.4% above the Canadian average, not 10%. Ontario has 41% of the student population in Canada in the elementary and secondary panels and spends 42% of the money. That doesn't seem to me to be terribly out of whack.

In order to make his case, the minister compares apples with oranges. The data the minister uses is spending for federal and private schools and kindergarten expenditures that were not counted in the enrolment, some 100,000 students, thus inflating the per pupil cost allocations. The deputy minister, in estimates, agreed with that. We asked him if he would take a look at being able to have a true comparison. He said: "Yes, you're right, it really was not a justifiable comparison," and that he would go away and come back with something more comparable when we looked at those kinds of tests.

Bringing the debate over spending into today's dollars, taking into account the social contract reductions, the over \$800 million which will be annualized and leave the

system, in fact we'll be spending probably about \$85 less than the average of the other provinces. We will have fallen well below the average of all the provinces when you say that. So there's another myth that continues to be said. Of course, I think after a while people believe what they say, even though people will provide evidence and not be able to respond.

I have to wind up shortly but I want to respond to a couple of things the minister said. He talked about grade 9 kids and that they have a grade 4 reading and writing capacity. Tests showed last November — while I would not be totally supportive of saying that is the best we can do; I know we can always do better — that in recent tests more than 93% of Ontario grade 9 students got passing marks in both their reading and writing skills.

When I hear comparisons made internationally on our expenditures and we don't have true comparisons, I find that an embarrassment. There is not another school system in the world that provides the opportunities for people with special needs that our educational system provides. There is not another school system in the world that provides the universality and accessibility that heretofore our educational system in Ontario has provided. That is now in jeopardy.

I underline that the minister is using that word less these days, and now I don't hear it at all: "Accessibility," remember that, because accessibility will mean more costs; those looking for an education to get off welfare now will have to remain on welfare, contrary to the indication and the stated policies of this government.

I ask the members of this House to support this motion, and in the interests of our educational system, to put it back on track to quality and accessibility.

The Speaker (Hon Allan K. McLean): We are now voting on opposition day number 2, standing in the name of Mrs McLeod. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

Call in the members.

The division bells rang from 1757 to 1802.

The Speaker: Would members take their seats, please.

All those in favour of Mrs McLeod's motion will please rise one at a time.

Ayes

Bisson, Gilles	Curling, Alvin	Martel, Shelley
Boyd, Marion	Duncan, Dwight	McGuinty, Dalton
Bradley, James J.	Gerretsen, John	McLeod, Lyn
Brown, Michael A.	Grandmaître, Bernard	Miclash, Frank
Caplan, Elinor	Gravelle, Michael	Morin, Gilles E.
Castrilli, Annamarie	Hampton, Howard	Patten, Richard
Churley, Marilyn	Hoy, Pat	Phillips, Gerry
Cleary, John C.	Kennedy, Gerard	Pupatello, Sandra
Colle, Mike	Kormos, Peter	Ramsay, David
Conway, Sean G.	Lalonde, Jean-Marc	Ruprecht, Tony
Cooke, David S.	Lankin, Frances	Sergio, Mario
Cordiano, Joseph	Laughren, Floyd	Wildman, Bud
Crozier, Bruce	Marchese, Rosario	Wood, Len

The Speaker: All those opposed will please rise one at a time.

Nays

Arnott, Ted	Galt, Doug	Ouellette, Jerry J.
Baird, John R.	Gilchrist, Steve	Palladini, Al
Barrett, Toby	Grimmett, Bill	Parker, John L.
Bassett, Isabel	Guzzo, Garry J.	Rollins, E.J. Douglas
Beaubien, Marcel	Hardeman, Ernie	Ross, Lillian
Boushy, Dave	Hastings, John	Runciman, Bob
Brown, Jim	Hodgson, Chris	Sampson, Rob
Carr, Gary	Hudak, Tim	Saunderson, William
Chudleigh, Ted	Jackson, Cameron	Shea, Derwyn
Clement, Tony	Johnson, Bert	Sheehan, Frank
Danford, Harry	Johnson, David	Snobelen, John
DeFaria, Carl	Johnson, Ron	Spina, Joseph
Doyle, Ed	Jordan, Leo	Sterling, Norman W.
Ecker, Janet	Kells, Morley	Stewart, R. Gary
Elliott, Brenda	Leadston, Gary L.	Stockwell, Chris
Eves, Ernie L.	Marland, Margaret	Tascona, Joseph N.
Fisher, Barbara	Martiniuk, Gerry	Tsubouchi, David H.
Flaherty, Jim	Maves, Bart	Turnbull, David
Ford, Douglas B.	Munro, Julia	Young, Terence H.
Fox, Gary	Murdoch, Bill	
Froese, Tom	O'Toole, John	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 39; the nays are 61.

The Speaker: I declare the motion lost.

Pursuant to standing order 34, the motion that this House do now adjourn is deemed to have been made.

VEHICLE EMISSION TESTING

The Speaker (Hon Allan K. McLean): Pursuant to standing order 34(a), the member for Riverdale has given notice of her dissatisfaction with the answer to her question given by the Minister of Environment and Energy concerning mandatory vehicle emission testing. The member has up to five minutes and the minister or parliamentary assistant will have up to five minutes to rebut.

Ms Marilyn Churley (Riverdale): First of all, I'd like to thank the Minister of Environment and Energy for kindly consenting to postpone this until Thursday, but the House leader's office basically told us that we had to do it today, so here we are. I hope that she was able to get her notes. I wasn't able to get mine. So this will be a test of how good we are without our notes.

I have two late shows today. The first was specifically on my question yesterday, and I asked it again today, on why the minister is not going ahead with a mandatory vehicle emission testing program. I want to say to the minister first off that sometimes I appear to be very, very — I suppose — angry and hostile when I talk about the environment, and I do want to say to her that it's nothing personal. I certainly don't believe that I'm exceptional in any way in terms of my background in the environment, but before I came to this place and before I got involved in politics, I was very active in the environmental community. I find it personally very painful and very difficult to watch environmental protection that was built up over 20 years being destroyed.

I want to say to the minister that I recognize the difficulties for ministers of the environment within

governments. I heard Sheila Copps on the radio the other day saying — she is no longer of course the minister of anything, but at that time she had left the Ministry of the Environment. But I think all ministers of the environment do have some problems, especially in times in recession and difficult financial eras.

But I would say to the minister that this issue we're talking about today is something that could be done and should be done and would not cost the government a dime — not a dime. It would be an opportunity for the government, and for you as minister to make some kind of mark as Minister of Environment and Energy, without having to spend any money because the private sector has already said they would be willing to step in and take over this program.

1810

Minister, you said today that it was very complicated and complex and that the volunteer program that's now up and running wasn't working, was too complicated, too expensive. All of that isn't true. It was put in place so we could set something up, take a look at a model, see how it works and go from there. It is very clear that we have the private sector willing to take on this role. As I said earlier in my question to you today, many in the private sector support moving forward with a mandatory program.

I suspect the problem, which you alluded to today in your speech at the clean air summit, is that you remember knocking on doors and having people say to you — and this government got elected on this — "Get out of my face; we want government out of our face." I recognize that. There is a lot of that; some of it's legitimate, some isn't. But I can tell you that polls show that in the area of environmental protection and health, people very definitely want their government to protect them. There is absolutely no doubt about it.

As you know, there was all-party support for my resolution on putting together a task force to deal with carcinogens and other suspected cancer-causing chemicals in our environment. People recognize, as does your caucus, at least the ones who were here that day, that it's very important to protect people's health.

We know that smog is literally killing people in the Ottawa-Windsor-Toronto corridor and that there is a viable way to help fix it. Sure, about 50% of the smog pollution comes from across the border. We know that. But we also know that a certain percentage of it comes from vehicle emissions — there is no doubt about that — and people are getting sick. It's costing the health care system about \$1 billion a year to deal with it.

I say to the minister that it would be a very, very good gesture for the environment and to make her mark as the Minister of Environment.

The Acting Speaker (Mr Gilles E. Morin): Thank you. Your time has expired. Minister, you have five minutes for your reply.

Hon Brenda Elliott (Minister of Environment and Energy): I wasn't sure what questions we were going to respond to today, whether we were going to talk about Ontario Hydro or whether we were going to talk about the issue of air quality.

The issue of air quality is one that we've said from the beginning we're concerned about. I have said publicly in many speeches that in the past we spent a lot of time talking about waste management in the Ministry of Environment and Energy but that I think the two key priorities we have to work on are air quality and water quality in the province, followed closely by the issue of toxics, which you've just alluded to.

They are very serious issues. The fundamental difference we've got between our governments' points of view is that this government understands that environmental integrity and protection are very, very important but that they have to come in a balance with our economy.

With regard to the vehicle emission testing program, for instance, yes, it's true, we have a voluntary program that has been extended for six months. Your government started it and our government has followed through for six more months. We have been looking at this program trying to figure out what the lessons are that we are to learn from that voluntary program. We've been looking at equipment, we've been looking at cost, we have been looking at frequency, we've been looking at the kind of results we could get.

While it's very easy to say, "This is a great idea and we should do it," it's one thing to say it in the city of Toronto where there is a large car population and the results would be more immediately tangible, but it's another thing to consider the effect such a law or change would have throughout the province.

There are very many people who are saying, "Is this the best solution?" The issue with air is that it's not one single thing but many things working together, because you're right; more than 50% of the smog problems we have here in Ontario are not generated in the province. So we're looking at economic instruments, we're looking at emissions trading, we're looking at a number of other issues that are transboundary issues. The Canadian minister, for instance, is concerned about this and, again, is looking at transboundary, interprovincial ways to help solve the problem.

Having said that, with the issue of mandatory testing, we have been looking at it. We have not dismissed it out of hand as something we shouldn't do. What we have been trying to determine is, how can this work? It has to be affordable. It has to be customer-friendly. It has to be something that will meet the targets that we want.

The difficulty with the voluntary program that's in place now is that the equipment and the process that were established in that voluntary program are very expensive. It's not something we're prepared to take on as a government, and neither was your government. That was part of the *raison d'être* for establishing it the way that you did. The difficulty is that in the way it was done, it's not easily transferable to the private sector, which would be the group that would have to pick it up.

One of the things we've been trying to do is determine how to make a mandatory vehicle testing program, for instance, actually work, but it goes well beyond that. The issue is one of smog; it's not just vehicles. The fact of the matter is that even if we were to do a mandatory testing program, because of low-emission vehicles which are coming into effect — I think the federal government

anticipates the regulation to be in place by 1998 — because of new fuel formulations — and I believe the federal government announced on Friday it anticipates that new formulations will be regulated with national standards probably in February or March 1997, so we are beginning to see concrete changes already — because of those kinds of things, we will immediately begin to see changes, but we're also seeing the industries come forward with on-board diagnostics. So we will see a change for those reasons in smog levels that are going to be emitted throughout the province.

The question is, do we go ahead and phase in a program which by virtue of time could eventually be phased out and may not — and this is the worry — be as effective as we anticipate it would be, because smog is not just something that's caused by vehicles.

I remember looking at a map not very long ago and some of the areas along Lake Huron which are beach areas have unbelievable levels of ozone. They have no urban environment there; they have no vehicles. They are breathing the air that is coming to them from other industrialized areas. Our southern neighbours produce it, certainly some cities here produce it, but it's going all across the province and it affects not only our personal health but it affects our vegetation and plant life.

ONTARIO HYDRO

The Acting Speaker (Mr Gilles E. Morin): Pursuant to standing order 34(a), the member for Riverdale has given notice of her dissatisfaction with the answer to her question given by the Minister of Environment and Energy concerning Ontario Hydro privatization and peer review. The member for Riverdale, you have five minutes.

Ms Marilyn Churley (Riverdale): It was very interesting listening to the minister responding to my comments on the first question about vehicle emission testing. She keeps talking about how complicated it is to do all of this; it's so hard to set up a little mandatory vehicle emission testing program.

They've had a year. The plan was, after the NDP government put the voluntary system in place, to then move forward in the other mode. But what was interesting about that answer is that I'm sitting here starting to already think about the next question we're dealing with, and that is the privatization of Hydro and the safety of our nuclear plants. Think of the complications around trying to privatize something that huge and that complicated. If you want to talk about complication, I'll tell you, that's an area where the government should be slowing down.

I just find it so ironic to see the minister standing there and saying: "Gee, it's so hard to do this vehicle emission testing program. Oh, it will take forever and it's complicated and difficult." But in the meantime the government and Hydro are willing to spend lots of money to set up the commission, although it didn't talk to very many private citizens, to come back with a report which of course the public hasn't seen yet. We believe, and we haven't been told otherwise, that the government and certain people, including the chair of Hydro would like to privatize so their Bay Street friends and top manager can

make more money. But a Hydro report itself said that rates would go up, and because I don't have my notes, I think around 25% to 35%. They would not release their background numbers as to why. Then they took it out of the report and it's gone. Where is it? Where are those figures? Nobody can find them any more. It was in Ontario Hydro's own report. Now they try to stay off the issue of rates.

1820

I relate that back to the issue I'm talking about today, and that is the peer review report. That's another document that hasn't disappeared yet that the public cannot have access to. The privacy commissioner said, "I don't agree with what Hydro is saying about suppressing this report." Now the minister has decided to defend the peer review process and defend Hydro's top management instead of defending the public interest and the safety of Ontarians. What is really disturbing about this report is that it's very clear that Hydro — they said it publicly — doesn't want the report released because it would interfere with their privatization plans for a nuclear plant.

Minister, in my view this is shocking, totally shocking. I can't believe that you didn't say right away, "I am going to get to the bottom of this." This is very disturbing. This government has not made the decision to privatize yet. How dare they be going out there, and it's been going on for months, putting forward their view of privatization, how great it would be? You keep standing up and defending them, saying, "I don't want to interfere in their day-to-day operations." This is not day-to-day operations. This is a huge asset that's owned by the public.

Our government had the courage, the first government, to rein Hydro in, get it under control. We froze the rates. We know that competition has to come; everybody agrees with that. But it is just mind-boggling that this government has not already ruled out privatization because Hydro's own numbers show it doesn't make sense. One can only assume that it's pure ideology. You do want to help your rich friends.

Minister, I would like you to stand up and give a message to Hydro that the safety of Ontarians comes first, that you are no longer going to defend the peer review process. In this case, we know there is a report sitting there which raises serious concerns about the safety of nuclear plants in Ontario, and the public has the right to know. So I ask you today, Minister, to give me a better answer as to the peer review stuff. It just doesn't wash.

The Acting Speaker: Thank you. Your time has expired.

Hon Brenda Elliott (Minister of Environment and Energy): I would say to the member opposite the same thing I said in the House earlier today. The member complains that we have not yet found a solution for what she believe the answer to all the smog problems in the province to be, and that's a mandatory vehicle testing program, and that we haven't implemented it within one year. I say to her, she had five years to do it and did not accomplish it.

Having said that, we'll move on to the next issue, which is the issue of electricity restructuring. I would remind the member that I have never used the word

"privatization." This is a word that is being used by others. When we came into government, we listened to the people of the province, who said to us very clearly, "The issue of rates is one with which your government should be concerned because the rates of Ontario Hydro, the electricity that we all need and require for this province, are in jeopardy."

We have said that we have been listening to people, so we first of all began by putting a five-year rate freeze on the average rates. The next thing we did, again in response to listening to people who said, "We have a problem here," was trying to determine what was the problem. So we've established the Macdonald commission, which has been going throughout the province listening to submissions. Over 200 people have come forward with submissions on the ways they believe we can best deal with the issue of introducing competition into the electricity industry in this province with the hope of reducing the rates.

We have said that yes, getting the rates down is important. We have said reliability is essential. We have said safety is absolutely key. We have always said those, right from the day we began to talk about this issue. The Macdonald commission understands that, and those are certainly the same comments they have been hearing from people who have come before them all across the province.

Having said all those things about the Macdonald commission and introducing the idea of competition, which will lead to lower rates — and there are many, many ideas on how to introduce that idea of competition — we have not yet determined as a government how we are going to go about this. The Macdonald commission, which will be reported on on Friday, will be the first step in a long consultation process on how to go forward, keeping in mind first and foremost the concerns of the people across this province.

The honourable member across the way talks about the issue of peer reviews and the issue of Ontario Hydro meeting with some companies. Yes, it's quite true. Ontario Hydro has met with companies, and they have been meeting with some companies to talk about the Bruce centre, to talk about restoration and repair. They have every right to do this. The Bruce Energy Centre has need of repair and has need of restoration, and there have been companies coming to talk to them about how to do this.

That's a completely and utterly different issue from the peer review process. The peer review process is something Ontario Hydro has been part of for many years. Both governments opposite, the NDP government and the Liberal government, supported the concept of peer review because the ministers and the government understood they are fundamental to a candid and frank discussion about the operations, about the safety, about the maintenance of nuclear facilities.

Peer review material comes to Ontario Hydro as a tool to help them understand their facilities. It is a very critical tool. That is why the peers in the industry are involved, because they understand that with confidentiality, frank discussion and open criticism are welcome and their comments and ideas will be used by the corporation

to improve the facility. That's what it's all about. Those peer reviews are not for the government.

The safety of the operation of the nuclear facility is regulated by the Atomic Energy Control Board of Canada. That is the regulatory body that makes decisions about the safety of the nuclear operation in the province. And I can tell you — you asked me — safety is paramount with nuclear facilities.

I put to you that the advice given to the operator, to Ontario Hydro, through the integrity of the peer review process is fundamental in making sure they have the best

advice on how best to operate those facilities, and I support that peer review process. It's not something we would receive as government; it's not meant for us. It's not meant for the Atomic Energy Control Board. Even the regulator doesn't want to see it, because they understand it would fundamentally flaw the integrity of the process.

The Acting Speaker: The motion to adjourn the House having been deemed to have been made, this House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 1828.

CONTENTS

Tuesday 4 June 1996

MEMBERS' STATEMENTS

Tiananmen Square anniversary	
Mr Agostino	3269
Arts and culture	
Mrs Boyd	3269
Tornado relief fund	
Mr Arnott	3269
Septic systems	
Mr Hoy	3270
Women's March Against Poverty	
Mr Martin	3270
Poster contest	
Mr Flaherty	3270
Senior citizens	
Mr Morin	3270
Native housing	
Mr Hampton	3271
Italian National Day	
Mr Spina	3271

STATEMENTS BY THE MINISTRY AND RESPONSES

Automobile insurance	
Mr Eves	3271
Mr Palladini	3272
Mr Crozier	3272
Ms Lankin	3273
Mr Kormos	3274

ORAL QUESTIONS

Automobile insurance	
Mr Crozier	3275
Mr Eves	3275
Obstetrical care	
Mrs McLeod	3275
Mr Wilson	3276
Ipperwash Provincial Park	
Mr Wildman	3277
Mr Harnick	3277
Security service	
Mr Silipo	3278
Mrs Witmer	3278
Trucking safety	
Mrs McLeod	3279
Mr Palladini	3279
Vehicle emission testing	
Ms Churley	3279
Mrs Elliott	3280
Business associations	
Mr Ford	3280
Mr Saunderson	3280

Moose tag lottery

Mr Miclash	3280
Mr Hodgson	3280
Forest firefighting	
Mr Laughren	3281
Mr Hodgson	3281
Ontario film industry	
Mr Newman	3282
Ms Mushinski	3282
Education financing	
Mr Patten	3282
Mr Snobelen	3282

PETITIONS

Dellcrest Children's Centre	
Mr Ruprecht	3284
Non-profit housing	
Mr Silipo	3284
Mr Curling	3285
Children's law reform legislation	
Mr Hastings	3285
Waterfront erosion	
Mr Newman	3285
Transition House	
Mr Hoy	3285
Bear hunting	
Ms Bassett	3286
Ontario Housing Corp	
Mr Cleary	3286
Ontario Hydro	
Ms Churley	3286
Child care	
Mr Grimmett	3286
College of Teachers	
Ms Castrilli	3286
Mr Bradley	3287
Video lottery terminals	
Mr Gerretsen	3286
Gasoline prices	
Mr Bradley	3287

FIRST READINGS

Automobile Insurance Rate Stability Act, 1996,	
Bill 59, <i>Mr Eves</i>	
Agreed to	3287
Construction Workforce from Quebec Act, 1996,	
Bill 60, <i>Mr Lalonde</i>	3287
Agreed to	3287

OPPOSITION DAY

Education financing, opposition day	
motion number 2, <i>Mrs McLeod</i>	
Mrs McLeod	3288
Mr Len Wood	3289
Mr Snobelen	3290
Ms Castrilli	3292
Mr Wildman	3293
Mr O'Toole	3295
Mrs Caplan	3296
Mr Marchese	3297
Mr Hudak	3298
Mr Miclash	3300
Mr Kormos	3301
Mr Grimmett	3302
Mrs Boyd	3303
Mr Patten	3304
Negated	3306

ADJOURNMENT DEBATE

Vehicle emission testing	
Ms Churley	3306
Mrs Elliott	3306
Ontario Hydro	
Ms Churley	3307
Mrs Elliott	3308

OTHER BUSINESS

Order and decorum in the chamber	
Mr Agostino	3274
Mr Kormos	3274
Mr Stockwell	3274
Mrs McLeod	3274
Comments of Minister of Health	
Mrs Caplan	3283
Mr Wilson	3283
Ms Lankin	3283
Mrs McLeod	3283
Mrs Marland	3283
Question period	
Ms Churley	3284
Mr Phillips	3284
Mr Eves	3284
Apology	
Mr Stockwell	3287
Notice of dissatisfaction	
The Speaker	3290

TABLE DES MATIÈRES

Mardi 4 juin 1996

PREMIÈRE LECTURE

Loi de 1996 sur la stabilité des taux d'assurance-automobile, projet de loi 59, <i>M. Eves</i>		Loi de 1996 sur la main-d'oeuvre de la construction du Québec, projet de loi 60, <i>M. Lalonde</i>	
Adoptée	3287	Adoptée	3287

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Honourable Allan K. McLean

Président
L'honorable Allan K. McLean

Clerk
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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 5 June 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 5 juin 1996

*The House met at 1333.
Prayers.*

MEMBERS' STATEMENTS

PLANT CLOSURE

Mr John Gerretsen (Kingston and The Islands): Our region of Ontario is extremely distressed by the recent closure of Phillips Cables in Brockville after 75 years in business; 335 workers have lost their jobs since Phillips decided to sell its building wire business to an American firm and shift the remaining production to plants in Italy and the United States.

The company's chief executive officer, Carl Painter, emphasized that the decision to close the plant is not tied to the performance of the plant's employees, who agreed to a four-year wage freeze in 1991 and made other concessions to keep the plant alive.

The Harris government has vigorously claimed that its policies, its changes to social and labour and other legislation would cause business operations to remain and expand in our province. It was presumed that the exodus of plants would end. It has not.

The government does not hold out much hope to these workers and their families in the Brockville community since it does not have a job creation plan. Where are the programs to assist the workers, many of whom have worked for Phillips for their entire working careers?

This government has abandoned its promise made in the Common Sense Revolution to create 725,000 jobs. The government's own figures in the budget predict that the unemployment rate will be higher in each one of the next two years, by 8.9% next year and 8.8% the year after. Going by these numbers, in 1998 there will be 6,000 more people unemployed than the day the Mike Harris government took over.

We hope the government will reconsider the abandonment of this key promise and offer hope to the laid-off workers of Phillips Cables and all of Ontario's unemployed.

AUTOMOBILE INSURANCE

Mr Peter Kormos (Welland-Thorold): Yesterday's announcement of the so-called automobile insurance reforms lacks so much, but in particular what they fail to do is to address a crisis that's been brewing in the brokerage industry for some time now. It's the dirty little secret of that industry, and you know exactly what I'm talking about, Speaker; I know you do.

What's been happening is that private auto insurance industries have been cherry-picking, high-grading, and

how they do it is they cut brokerage firms free. We've got brokerage firms in this province — they've called me — who have only one insurance company left that they can sell for. Of course, the government requires that they disclose who their companies are. That brokerage firm, once it is disclosed that they only act for one company, maybe two, is out of business. They might as well shut the doors, because the private sector auto insurance industry in this province has not only been running rampant and footloose and fancy-free, picking the pockets of drivers and innocent victims; they've also been beating up on brokerages.

For a government that purports to have any interest in small business to permit brokerages, especially in small-town Ontario, small, family-run businesses, small businesses, to continue to be victimized by a voracious private sector auto insurance industry is unconscionable. The fact that these brokers, as they should, have to disclose who they act for is going to shut down the biggest chunk of small-town brokerage firms and leave the profits for only the biggest and the best buddies of this government.

JIM MURRAY

Mrs Margaret Marland (Mississauga South): I consider it a tremendous privilege to make this statement. Mississauga recently honoured Jim Murray with the Gordon S. Shipp Memorial Award for citizen of the year.

Jim Murray's dedication to community service has been unwavering for nearly 30 years. Despite the demands of his career as vice-president of J.J. Barnicke, Jim has found time for a wide range of community service. Jim's earliest volunteer activity centred around the Scouting movement, followed by the Kinsmen Club of Mississauga, where he served as president and vice-president. Through the Kinsmen Club, Jim initiated the Mississauga Canoe Club building project. Other organizations that have benefited from Jim's volunteer efforts include Counteract, Peel Regional Housing Authority, Living Arts Centre, Bethesda Concert Series, Cyclos Theatre Company, Credit Valley Hospital, Mayor's Gala, Peel Museum, Mississauga Sports Council, Don Rowing Club and Mississauga News Christmas Bureau Fund.

Jim Murray said of Gordon Shipp, for whom the award is named: "Gordon Shipp was one of the finest men I ever met. He set an outstanding example for people who wanted to contribute to their community." Jim, if Gordon was still alive, he would say the same about you.

On behalf of the people of Mississauga, congratulations for this much-deserved honour. Like your father, former reeve and mayor "Chic" Murray, you have made an outstanding contribution to our great city for which we will be eternally grateful.

EDUCATION

Mr Richard Patten (Ottawa Centre): This government's education priorities are all mixed up. In a Mike Harris educational system, dollars and cents are obviously more important than reading, writing and arithmetic.

Yesterday, during the debate about this government's priorities in relation to Ontario's education system, the Minister of Education and the member for Niagara South stated that the reading and literacy levels of students entering and exiting our secondary schools are in a deplorable state. Indeed, the minister stated that today our grade 9 students are reading and writing at a grade 4 level.

What is the study that he is referring to? This flies in the face of testing that was done last fall on a province-wide basis that showed us that 93% of our grade 9 students were at a satisfactory or better level in their reading and writing.

Naturally, we should all be concerned with continually improving the capacity of our students. What is the government planning to do about this?

According to a draft plan to revise the secondary school panel, there are a number of plans. Some of the plans are to reduce the number of instructional hours for English and math and science. Does this make sense? I don't think so. This is going to affect us and our children for years to come, and now we're about to see some very negative things happen.

1340

FOREST FIREFIGHTING

Mr Floyd Laughren (Nickel Belt): Yesterday I asked a question to the Minister of Natural Resources regarding fighting fires in my constituency and all across the north. I'd like to summarize briefly what the issues really are:

Fire crews fighting forest fires without radio contact having to come out of the bush to use a telephone to contact their supervisor.

Fire crews not being fed for over 24 hours.

The equipment that was formerly kept at the Gogama fire base airlifted from Sudbury to Timmins and then trucked back to Gogama.

The complete and utter lack of coordination of staff and equipment.

The inadequate staffing levels that necessitated a radio operator being sent from Timmins, and rehiring of surplus staff in Gogama.

Helicopters not arriving when scheduled to pick up equipment and fire crews.

Helicopters unable to transport fire crews and equipment because the refuelling stations are not operating.

The constant shifting of equipment and fire crews from location to location because of a computer projection of fire behaviour.

Believe it or not, this could be worse. The fire situation this year is much better than last year. So far, there have been few big fires. The fires around Gogama and Shining Tree have all been small to medium-sized. What would happen if a really big blaze occurred? This government has been very lucky that the fire hazard has been so

low. Since they can't handle the fires we've had so far, I'd hate to see what would happen if a real disaster was to occur.

ENVIRONMENTAL EVENTS

Mr Doug Galt (Northumberland): I rise in the House today to commemorate Canadian Environment Week, which runs from June 1 to June 9, and World Environment Day, which is today, June 5.

Canadian Environment Week is dedicated to promoting environmental awareness among Canadians. The week provides an opportunity for concerned Canadians to focus on environmental issues and to help conserve and protect our country's natural heritage.

World Environment Day, which is celebrated every June 5, was established in 1972 by the United Nations Stockholm Conference on Human Environment. It is expected to be celebrated in more than 100 countries around the world, and is meant to focus global attention on environmental action and awareness.

This government is committed to action and tough standards that ensure the protection of the environment for generations to come. We are committed to ensuring that the spirit of Environment Week and World Environment Day is preserved.

Air quality throughout Ontario, and especially in the hard-hit GTA and Windsor-Quebec corridor, continues to be an important issue. We continue to take a tough stand against acid rain. The province has established a 52% reduction in emission levels since 1986. These are just a few of the initiatives that we are pursuing to ensure that Ontario is the standard for environmental protection.

On this day and this week, I urge all members of the House and all Ontarians to make activities that preserve the earth part of their daily lives.

TAXATION

Mrs Sandra Pupatello (Windsor-Sandwich): Today in Windsor, 17,000 signed coasters which read "Stop Unfair Taxes" have been given a sendoff here to Queen's Park for the finance minister, Ernie Eves. This issue is about jobs — the jobs at Hiram Walker & Sons Ltd. This government has the opportunity to save those jobs with a fairer tax to consumers, licensees and distillers.

Tom Racovitis, president of the Essex county branch of the Ontario Restaurant Association, says: "Our customers are appalled at the amount of tax charged for beverage alcohol," and fully support us in our initiative to get the Ontario government to change these discriminatory tax policies.

Mr Eves, in his speech to my Rotary Club in Windsor, acknowledged that this is a significant problem. We need more than an acknowledgement; we need a solution, and Ontario taxes are the lion's share of taxes.

Mr Eves, you say you're interested in creating jobs. How about starting by saving some — the jobs at Hiram Walker & Sons Ltd. Look forward to 17,000 signed coasters being delivered, as we speak, in an empty barrel to our finance minister, Ernie Eves.

MINISTER OF ENVIRONMENT AND ENERGY

Ms Marilyn Churley (Riverdale): I absolutely must draw the attention of the House to an article in today's Toronto Star, headlined "Environment Minister Won't Ride City Buses."

Yesterday the minister appeared at a conference on smog prevention, and those of us who were there hoped she would announce measures this government intends to take on this serious health issue. But no, not only was she not forthcoming with any strategy at all; she stunned the forum with the news that she wouldn't ever take the bus, certainly not in Toronto and not even in her own home town of Guelph — too inconvenient, apparently.

I think those who take public transit — who don't, by the way, have the luxury of a limousine and driver — would agree with the minister that there is, to put it mildly, much room for improvement of public transit. But what does this government do in response? It cuts back funding for public transit.

If the minister thinks public transportation is inadequate, it is her job to raise these concerns at the cabinet table and demand improvement. It is her job to encourage, not to discourage, the public to take public transportation.

The minister continues to crow about how people will want government, as she articulated, "out of their face." I'm sure the people of Ontario are getting tired of that mantra being used as an excuse for inaction on the part of this government to protect their health. People are dying. Smog kills.

The minister should set an example. I'm sending her over this bus token, and I encourage her to take "the better way" to work tomorrow.

RED TAPE REVIEW COMMISSION

Mr Frank Sheehan (Lincoln): As chairman of the Red Tape Review Commission, I am pleased to announce the release of our interim report today. Copies of the report have been mailed to the members this afternoon.

The commission is a catalyst for achieving an important part of the government's agenda and to fulfil promises made in the Common Sense Revolution. Our role is to review all laws and the process for establishing and applying them. While carrying out our work, we're ensuring that the environment, public health and safety and community values are not compromised.

Government regulation is everywhere and growing. It's choking business activity, job creation and investment. The interim report tackles that challenge.

The ultimate goal of the Red Tape Review Commission is to design a test, or a knothole, if you will, to ensure new laws and regulations are necessary, efficient and not barriers to growth. Our report contains an interim regulatory impact test which will be used until the final report is presented. The test will be called the Less Paper/More Jobs test. We will work with ministries and the business community over the next six months to perfect this test.

I'm pleased to note that eight ministers are introducing legislation which will simplify and streamline the government process. All these activities help make Ontario a good place to invest and create jobs.

VISITOR

The Speaker (Hon Allan K. McLean): I'd like to advise the House that we have Mr Bob Mitchell, a former member for Carleton, in the east gallery.

SPEAKER'S RULING

The Speaker (Hon Allan K. McLean): Upon review of the circumstances around the point of order raised yesterday by the member for Oriole (Elinor Caplan), I must remind all members that it is not for the Speaker to determine the factual merits of any statement made in this House.

It is, however, the responsibility of the Speaker to ensure that no member accuses another of uttering a falsehood.

All members are honourable members and should be treated as such.

STATEMENTS BY THE MINISTRY
AND RESPONSES

GOVERNMENT PROCESS SIMPLIFICATION

Hon Charles Harnick (Attorney General, minister responsible for native affairs): It is my pleasure today to inform the House and the people of Ontario about my ministry's part in cutting the red tape that businesses and individuals face in government services.

Today I will introduce a legislative package, the Government Process Simplification Act (Ministry of the Attorney General), 1996, that signals our recognition that we in the justice system can help to create a business-friendly climate for Ontario. We can help to create an environment in which companies and individuals find government services working for them rather than against them, to make it easier for them to conduct their affairs and keep jobs in the province.

Under the able direction of the Red Tape Review Commission, we have prepared a list of changes to 14 statutes to simplify processes and improve the administrative efficiency of many of our services. This will translate into faster, easier access for business, individuals and their legal representatives.

These amendments will directly reduce the legal costs and other costs of doing business, both for companies and for individuals. They help this government fulfil promises made in the Common Sense Revolution to turn back the years of overregulation and remove the barriers to economic growth and job creation.

Three main program areas are affected by our ministry's efficiency proposals: the office of the public guardian and trustee, the Assessment Review Board, and the more than 70 tribunals that operate under the Statutory Powers Procedure Act.

1350

I would like to highlight some of what our legislative changes will accomplish.

We will make simple amendments to the procedures of the Assessment Review Board to make more efficient use of hearings and promote better customer service.

In terms of the public guardian and trustee, our amendments start to break down some of the complex procedures that abound in that office and make it more accessible. This will benefit the wide range of clients who use these services: vulnerable adults, executors and private trustees, charitable institutions, shareholders in dissolved corporations and beneficiaries of estates, to name a few examples.

We've increased the public guardian and trustee's flexibility to make decisions around the sale of property belonging to persons who have died without a will.

In other cases, we have made it easier for beneficiaries of smaller estates to receive deceased clients' property from the public guardian and trustee without going through the expense of getting letters probate through the courts.

With the Statutory Powers Procedure Act we have put on the table a number of efficiency amendments suggested by the tribunals themselves through their organization, the Society of Ontario Adjudicators and Regulators.

I commend the members of this society for their proactive work in this area. They consulted with the heads of tribunals, with their main clients and with other stakeholders about changes that could be made and forwarded their proposals to us. This is a fine example of how government, the business community and the public can work together. We need this kind of partnership to facilitate job creation and improve both government services and employment prospects for Ontarians.

My ministry's legislative changes support our vision for a modern, leaner, more accessible and more effective justice system.

As I have noted on other occasions outside this House, Ontario's competitiveness in the global marketplace is directly linked to the speed and affordability of its justice system. We in the justice system are proud of being able to do our part through the Government Process Simplification Act (Ministry of the Attorney General), 1996, to keep Ontario attractive for new and existing investment.

It is truly an honour to be able to support the work of the Red Tape Review Commission. I personally would like to congratulate its chair, Frank Sheehan, the member for Lincoln, for coordinating this effort and I would like to thank the people in my ministry who have worked closely with the commission members to better respond to the needs of business and individuals in Ontario.

Hon Marilyn Mushinski (Minister of Citizenship, Culture and Recreation): I am pleased to inform members of the legislature that later today I will table proposed amendments to the acts governing the McMichael Canadian Art Collection, Science North and the Ontario Heritage Foundation. These measures will reduce legislative barriers to efficient business practices, streamline operations and eliminate red tape.

The amendments proposed by my ministry will enable the boards of Science North and McMichael Canadian Art Collection to appoint their own CEOs. They will permit the McMichael board to remove the CEO if necessary. They will make the Science North board responsible for determining the salaries of the CEO and staff. They will allow members of the Science North board to serve more than two terms if desired by government.

They will make the board of the Ontario Heritage Foundation all volunteers and will enable the foundation to reduce the minimum size of its board from 21 to 12 at the board's request.

The proposed amendments bring the business practices of these agencies in line with established practices governing other government agencies. In part, they are the result of consultations with the ministry's cultural agencies on the barriers that hamper their ability to operate competitively, efficiently and cost-effectively in the course of conducting day-to-day business.

In short, we are cutting the red tape and better focusing our resources on serving our customers and all taxpayers. We are working with the Red Tape Review Commission to make government more effective.

Hon Norman W. Sterling (Minister of Consumer and Commercial Relations): Later this afternoon I will be introducing the Ministry of Consumer and Commercial Relations Government Process Simplification Act. This legislation will eliminate redundant procedures and reduce regulations that are an unnecessary burden to business.

The Government Process Simplification Act will amend three acts administered by my ministry. These acts are:

The Motor Vehicle Repair Act: This act will be amended to eliminate reference to regional ministry offices in signage, repair orders and invoices, and the regulation-making power concerning size, form and style of signs. The regional offices have since been closed by the previous government, and other more effective options are now available to consumers seeking information or lodging complaints. These amendments simply eliminate excessive regulation concerning the types of signs to be posted.

The second act we will be amending is the Motor Vehicle Dealers Act. It will be amended to eliminate the regulation-making power requiring registered motor vehicle dealers to be bonded. The bonding requirements are no longer necessary because of the existence of the motor vehicle dealers compensation fund. The fund, which is industry financed, compensates consumers when dealers are unable or unwilling to meet their financial obligations.

The third act we will amend is the Consumer Protection Act. It will be amended to eliminate the registration requirement for itinerant sellers at the provincial level, as it has not been effective, while licensing at the municipal level has been more effective. While itinerant sellers no longer will be required to register, they will still be required to fully comply with the provisions of the ministry's Business Practices Act and the Consumer Protection Act.

We have worked in cooperation with the Red Tape Review Commission, headed by Frank Sheehan, MPP, to review the ministry legislation to make it easier to do business in Ontario. These changes will eliminate redundant regulations yet maintain necessary protection for our consumers.

I encourage all members to support this bill when introduced.

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): I rise to inform the

House that I will introduce legislation later today to eliminate red tape in the operation of some of our tourism agencies and in the regulation of tourist establishments.

A number of our agencies and tourist establishments operate under legislation that requires that fees and forms be set by regulation. We will amend the Historical Parks Act, the Ontario Place Corporation Act, the St. Clair Parkway Commission Act and the Tourism Act to simplify the process for setting fees and prescribing forms.

This is consistent with recommendations of the Red Tape Review Commission to reduce barriers to economic development and job creation.

Hon Brenda Elliott (Minister of Environment and Energy): My ministry is moving forward on the commitment made in the Common Sense Revolution and the speech from the throne to reduce red tape.

On Monday, I announced a series of proposed improvements to Ontario's environmental legislation that will help us meet our commitment to providing maximum environmental benefit for the taxpayer's dollar.

Improving the efficiency and effectiveness of environmental management, reducing barriers to economic renewal and competitiveness, and creating jobs are fundamental principles that this government will continue to act on.

Today, I am introducing proposed amendments to cut red tape and provide for more flexible operations of the boards that administer the following acts: the Consolidated Hearings Act, Environmental Protection Act, Ontario Energy Board Act, Ontario Water Resources Act and the Pesticides Act.

I'd like to take this opportunity to thank the Red Tape Review Commission for its assistance in our regulatory review process. We will continue to work with the commission to find solutions that are fair, effective, and provide clarity and flexibility.

I would also like to thank my parliamentary assistant, Dr. Doug Galt, for his tireless work in overseeing this review.

Hon Jim Wilson (Minister of Health): Later this afternoon, I will table the Government Process Simplification Act (Ministry of Health), 1996. As part of a greater package of amendments from eight different ministries, this bill is the first step in decreasing red tape for business and institutions in the health care sector.

The economic and social cost of regulation continues to rise. We must improve government efficiency and remove roadblocks that hinder businesses and the institutional sector from competing in an increasingly competitive market.

Under the direction of the government's Red Tape Review Commission, my ministry will reduce red tape by eliminating the requirement for cabinet approval for routine decisions by institutions, repealing obsolete and redundant statutes, and getting rid of unnecessary regulation-making powers over administrative fees and special forms.

This bill will amend or repeal 19 statutes administered by the Ministry of Health. We will eliminate the need for some government approvals of routine decisions or actions by businesses or institutions, Lieutenant Governor

approval of bylaws, and the regulation-making power to prescribe some forms and fees.

We will also repeal the Cancer Remedies Act, the Hypnosis Act and the War Veterans Burial Act.

These amendments can be added to the growing list of ministry accomplishments in reducing red tape.

Since July 1995, we have eliminated the need for ministry approval of hospital bylaws, simplified hospital budget reporting, replaced previous bureaucratic and intrusive consent laws with the Health Care Consent Act, simplified drug submission and review regulations for faster processing, and replaced the plan to create 100 multiservice agencies by streamlining home care and placement coordination programs into 43 community care access centres.

1400

By making these amendments to Ontario's health laws, not only will the ministry become more efficient, but the health care sector will be able to better serve Ontarians as a result of these changes.

We are being very careful to preserve the regulations that protect our health care system, while cutting red tape that discourages economic growth. We are also striving to make fundamental changes to prevent the creation of red tape in the future. We will ensure that the new rules make good sense and are fair, efficient and necessary.

Our commitment in the Common Sense Revolution is to reduce red tape. This is just the beginning of the Ministry of Health's efforts to make the business of health care simpler. Over the summer we will continue to work and consult to bring further red tape reduction measures to the Legislature this fall.

Hon Chris Hodgson (Minister of Natural Resources, Northern Development and Mines): I am pleased to have the opportunity today to speak to the Legislature on the actions of the Ministry of Northern Development and Mines in reducing red tape for both government and business operators.

As part of our government's red tape review goals, I am pleased to inform the Legislature that later today I will table my ministry's Government Process Simplification Act. This act includes two components which will help reduce barriers to economic growth and job creation.

First, our government will repeal the Canada Co's land acts of 1922, which deal with mineral rights to more than 571,000 acres of land from Windsor to Ottawa. The repeal of these acts will remove the complex and lengthy process that landowners must go through to obtain clear title and mineral rights to their land, which are currently held by the crown.

The Ministry of Northern Development and Mines receives, on average, 75 mineral rights applications every year. The current process of handling the documentation required by the crown involves four ministries and can take anywhere from three to five months. The new measures will transfer the mineral rights to the registered owners of the surface rights, thereby reducing uncertainty and saving time and money.

Secondly, I am presenting an amendment to the Mining Act which will eliminate the requirement to license refineries. Our mining legislation currently requires refiners of gold and other precious metals to obtain a

refinery licence from the Ministry of Northern Development and Mines.

This administrative burden provides no significant benefit to either my ministry or the mining industry. Approximately 54 licences are currently held, and they must be renewed every year. This amendment to the Mining Act will eliminate the need for business to renew the refinery licences and will reduce administrative costs incurred by this ministry.

These amendments demonstrate my ministry's commitment to working with the Red Tape Review Commission to reduce government barriers to business and to create jobs.

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): Later today I will table the Government Process Simplification Act (Ministries of the Solicitor General and Correctional Services), 1996. The bill will amend five acts: the Anatomy Act, the Coroners Act, the Ministry of Correctional Services Act, the Ontario Society for the Prevention of Cruelty to Animals Act, and the Private Investigators and Security Guards Act.

The amendments we are introducing today may not change the lives of Ontarians, but they will make it a little easier and a little less expensive to run the ministry, and that does benefit all Ontarians.

The changes contained in this bill are the sorts of things that should have been done years ago, at least in the last 10. For example, under the Private Investigators and Security Guards Act, all licences expire and must be renewed on March 31. That means we have to hire temporary help to process the pile of paper that comes in the door all at once. The amendment will see licences expire throughout the year, depending on when they are issued, similar to drivers' licences, which makes a lot more sense. Not only will it save money, but it will mean better service to the individuals seeking licences.

Similarly, we now need to get what is called a removal warrant if we want to transfer an inmate from one jail to another, something we do 22,000 times a year. Technological improvements to our procedures are being introduced that will allow us to simplify the process we use and transfer documents electronically. We are therefore deleting the requirement under the Ministry of Correctional Services Act for a written warrant and letting our superintendents get on with their jobs.

This legislation demonstrates our commitment to remove unnecessary or obsolete regulations and to work with the Red Tape Review Commission.

Mr James J. Bradley (St Catharines): A lot of us were expecting a statement today of major importance, and we find that the really important items will be coming later, of course, in the dismantling of each of the ministries of this government.

A lot of the minor changes that are made nobody's going to object to. They're routine, they're changes which can be made, with computer technology and so on. But the government's real agenda is the dismantling of all protection for consumers and others in the province of Ontario, leaving the best to those who are the most powerful, the most wealthy and the most influential in the province. They are the people who will be applauding not only this statement but down the line.

Many of the regulations established by Conservative governments in the past and by other governments were established to protect consumers, to protect the environment, to protect those in the field of justice. If some of them are archaic, a century old, something of that nature, people are not going to object.

But we must look at the real agenda of this government. The members on the other side see government as evil because government can protect individuals, because government has the opportunity to provide equal opportunity for people in our province — not equal outcome, equal opportunity. This is something that vested interests, powerful interests, will be interested in and applauding today.

The real fear is not so much about what we see in these statements as about what is to come. When there's a mention of 1,000 regulations being looked at — many of those regulations were established for very good reason: to protect health, to protect safety, to protect the environment, to protect consumers. The people who will object, as well as the general population, are going to be good business people, good business people who are protected against bad business people. When you have the majority of people in this province in business doing a good job, trying to live up to the regulations, following the legislation of the province, they will be concerned when they see that you are watering down the regulations that their perhaps less ethical competitors will be looking at and taking advantage of. What you're doing is bringing the standard down across this province rather than raising it.

We've already seen the gutting of the Ministry of the Environment and Energy. It simply won't exist by the time the summer is over. My friend the Minister of Consumer and Commercial Relations will simply be the Minister of Commercial Relations, because there will be no protection for the consumer left in this province when he is finished with it; he may not even have the job when he's finished with it. Yet I can recall many Conservatives in the past who saw a need for many of the roles played by his ministry.

We are looking at the fact that you have already deregulated the field of busing and you are causing great problems in the future for the small communities across this province, small-town and -village Ontario, who are going to lose bus service as a result of worshipping at the altar of deregulation and having the government get out of providing some protection and assistance to those communities who require it.

The Ministry of Natural Resources is being gutted. The minister gets up and puts the best face possible on it, but he's losing his staff. One of the reasons some of the regulations are going to disappear is that you simply won't have even the staff or the resources to enforce them. I can just imagine the people in the investigations and enforcement branch of the Ministry of the Environment today, a diminished branch, a branch that's being reduced, seeing even more regulations removed so that the polluters can have their way in this province.

There is going to be, I guess you'd call it, a checkerboard of quality of roads in Ontario as you abandon your responsibility for ensuring a good road system throughout this province.

What we have had from this government is an abandonment of its true role, of its proper role and responsibility. People don't mind some of the reforms that are taking place. You're going too far and you're going too quickly.

Mrs Elinor Caplan (Oriole): In response to the outrageous statement by the Minister of Health, which was nothing more than rhetoric, the reality is that he is not cutting red tape; he is cutting and gutting services. We heard not one word from him about care, about quality of care, about health care. What we have heard from him is \$1.3 billion in cuts to hospital budgets, \$225 million in user fees for the poor, for seniors and for disabled persons. We've seen cuts in chiropody services, feet services. Minister, stop the cuts.

1410

Mr Bud Wildman (Algoma): In a way, I'm of two minds about this interim report and the statements made by the ministers. On the one hand, the work in itself has been sort of a make-work project for Tory backbenchers in that it appears that some of the regulations being eliminated are those that were inactive and unused anyway, so it really is a bit of smoke and mirrors in that sense. In a way, actually having to sit down and find these inoperative regulations was in itself a bit of waste and duplication.

On the other hand, we are very concerned about what the final report might bring, particularly since the government says that it will eliminate 1,000 regulations. Many of them will be ones that are inoperative, that don't count, don't matter one way or the other, they're just sitting on the books and they haven't been used for a long time. But there may also be, within that very large pile of regulations, some very important ones that were established by governments, Tory, Liberal and New Democrat, for very good reasons.

The government seems to misunderstand the purpose of regulations. Governments, I suppose this government thinks, just came up with regulations for the fun of it, bureaucrats wanted to produce more regulations that justified their existence. But in fact, when it comes to travellers going abroad and being stranded overseas without a means of returning home when a company goes bankrupt, when it is a consumer that is not being given proper protection in regard to the purchase of a product that doesn't produce or do what it's supposed to do, when it comes to an auto dealership that may not be as scrupulous as others and may not in fact repair and provide the parts that a vehicle driver needs, these are regulations that should be examined very, very carefully before they are eliminated, because we want to ensure that consumers, the public, the environment and labour are protected. That's why regulations were established in the first place.

If we're talking about changing so many regulations at once, is this sort of the second coming of Bill 26? Is the government going to try to sneak dozens of regressive changes past the public with little or no consultation?

The process that we've seen so far has been completely business driven. The parliamentary assistant, the member for Lincoln, in his press conference had to admit that there has been no consultation with the public. He

said he could identify one call from labour, just one call from labour. We're talking about changes that will affect workers' rights, we're talking about changes that will make it more difficult to ensure the protection of our environment, we're talking about changes that will hurt consumers perhaps, and yet labour, environmental groups, consumers groups, none of them were consulted, not one of them; they only talked to business. This government seems to think that business is the only group that counts, and as long as business agrees, then it's okay, even if it may threaten the general public and eliminate protections that Ontarians need in dealing with business.

Also there's the question of ensuring a level playing field. That's what some of these regulations are about. How are scrupulous business people going to be protected from the fast-buck artists and the con artists who will try to avoid doing what is right, will cut corners at the expense of scrupulous business people? How are we going to protect the public from con games and scams? How are we going to protect the environment from polluters? Will business be tempted, because there are some bad actors who are making a profit at the expense of the people and the environment, to follow suit because there isn't regulation and the regulations that are there are not being properly enforced?

I'm very concerned that this government may in fact be going to throw the baby out with the bathwater. Efficiency doesn't mean letting the fox run the hen-house.

ORAL QUESTIONS

OBSTETRICAL CARE

Mrs Elinor Caplan (Oriole): My question is for the Minister of Health. Yesterday in response to a question from my leader, the leader of the official opposition, you said, "We are doing everything we can, including, if the crisis is caused by the debate over the malpractice insurance, we fully restored that insurance." You went on to say, and I quote again, "We've asked the College of Physicians and Surgeons to monitor this because it is responsible for the licensing of these individuals."

Your statements have proven to the province, to the women in this province, that you have absolutely no idea what you're talking about or how important this issue is. It's not about licensing, it's about patient care, and because of your policy decision to unilaterally scrap the malpractice insurance payments for Ontario doctors, women will not have the obstetrical services they need.

Last week I suggested you reinstate the malpractice insurance payments for doctors in Ontario until after Mr Dubin has concluded his report. That is a reasonable thing to do.

Do you not understand that it is women and their babies who may suffer because of your policy decision? You can fix this problem. Will you stand up today, put an end to this crisis, and announce that you are reinstating the malpractice insurance payments, called CMPA, for all Ontario doctors?

Hon Jim Wilson (Minister of Health): First of all, it's the honourable member who doesn't know what she's

talking about with respect to this issue. You have in yesterday's Sudbury Star an article that says, "Doctors Expect Province to Give In." It goes on to quote Dr John Maloney, an obstetrician in Sudbury, who says very clearly: "We are not endangering public safety one iota. Any woman having an emergency will be looked after." The article goes on to say: "A spokeswoman at Sudbury General Hospital, which handles the region's maternity cases, emphasized there is no immediate crisis. 'The patients who are going to deliver over the next six months won't have a problem,' said Deborah Dunn."

We made it very clear that a crisis does not exist but that if services are withdrawn which would affect women as they get closer to having a birth, we will ensure that patients receive the care they need and deserve under our comprehensive and universally accessible health care system, publicly funded and administered.

Secondly, I did offer to fully pay the CMPA for obstetricians. We already did that in a 30% way on April 1 when we gave obstetricians and all of those delivering babies in the province a 30% raise through the fee schedule, which is the way prior to 1986 that government used to fund malpractice insurance. Most of our fees in the fee schedule contain a portion for the malpractice insurance, and we're trying to return to that way of funding malpractice insurance pending Justice Dubin's report.

Mrs Caplan: Minister, you picked this fight. You have behaved like a bully. You do not understand the situation that you created. You unilaterally scrapped the malpractice insurance payments, and you did so against the advice of the College of Physicians and Surgeons.

You have a responsibility to the people of Ontario and to the women of Ontario to ensure that they will receive the medical services they need. Don't wait for an emergency. Do not create a situation where the women of this province are forced to resort to emergency services. That is not in anyone's best interests.

You are not listening to the advice you have received. You say that you asked the College of Physicians and Surgeons to monitor this situation. Well, they didn't wait for you to ask them. In fact, they conducted a survey because they were so concerned, and according to their survey, women have a right to be worried and scared because many, many doctors are going to stop delivering babies in Ontario because of your unilateral action.

Listen to the registrar of the College of Physicians and Surgeons, who told you back in December that patient care would suffer because of your actions. He believes you should reinstate the malpractice insurance coverage at least until Mr Dubin has reported. Listen to the women of this province who are asking you to solve this problem. Listen to the people of this province, but listen to those who know.

Minister, you have a responsibility. As a first step, will you stand in your place today, admit you were wrong, and reinstate the malpractice insurance payments for all doctors in this province so you can begin good-faith negotiations?

1420

Hon Mr Wilson: When the previous Liberal government, in 1986, decided to pay the increases in the

malpractice insurance above the 1986 base rate — so they would pick up all future increases — they forgot to put in place at the CMPA, which is an almost \$1-billion fund sitting in Ottawa these days, any accountability. This isn't an insurance fund. It's not regulated by any government.

We've said for many, many months that we believe the physicians of this province, rather than pointing their guns at the Minister of Health or this government, should be pointing their guns at the CMPA board, which is made up of physicians, wholly owned by physicians, which has an approximately \$1-billion reserve, which our actuaries tell us is more than enough money to cover any of the liabilities that may incur and that neither the government nor physicians needed to pay \$48 million in 1996, a 20% increase over 1995, that there's more than enough money there. Our position has been that neither the government nor physicians should be paying these obscene insurance premiums to an unregulated body in Ottawa with a \$1-billion reserve.

The taxpayers of Ontario want accountability in all our systems, and we're asking doctors and the CMPA to put accountability in their system. Thank goodness — I give the CMPA credit, and the federal Minister of Health — we have agreed, along with all the provinces and territories, that Justice Dubin will look into this matter, and we will find out in September who's right and who's wrong. Our position is that doctors shouldn't pay \$23,000 a year for malpractice insurance for delivering babies, and neither should the government.

Mrs Caplan: What everyone is saying to you is rather than acting unilaterally and scrapping the malpractice insurance payments, wait until you have the report so you know what the facts are. You have created these problems by your actions, which you took unilaterally without any data, without any information. All of us know you created this problem, you created this crisis, and you are the one who has to take responsibility for that.

You have not offered to reinstate malpractice insurance payments for all the doctors in this province. I know that and you know that. That is the truth. You have not offered to reinstate CMPA, which is the malpractice insurance payments for the doctors.

But the worst part of this is that you were warned, were told by the College of Physicians and Surgeons: "We believe that patient care need not be compromised had the appropriate steps been taken at the time the government announced its intentions regarding CMPA dues. The fallout from the government's withdrawal from CMPA support was predictable, foreseeable, and therefore preventable. The fact that nothing has been done to alleviate the impact on medical services to the public to say the least is unfortunate. With the dramatic increase in CMPA dues for obstetricians, many will opt to stop delivering."

The college warned you. You have done nothing. It's now six months later. Do the right thing. Stand up and announce the reinstatement of CMPA. You've got a report coming in September. Stop the bullying and get women the care and the services they need. Reinstate —

The Speaker (Hon Allan K. McLean): The question's been asked.

Hon Mr Wilson: To say that we didn't discuss this matter with doctors or the Ontario Medical Association is a complete falsehood. I spent the first few months in office saying, "We've got to do something about CMPA." The Ontario Medical Association never responded. The CMPA never responded. In fact, the secretary of that association wouldn't return the calls of my deputy minister. The only way to get people to wake up to this issue was to withdraw the dollars on the table at the time.

Remember, this isn't a \$23,000 hit all at once to these physicians in the higher premium brackets. They check off and they pay on a monthly basis. What we have said, and I think it's a victory on behalf of doctors, is that we're finally going to get, we hope, through Mr Dubin's inquiry, a full system of accountability in a very large insurance fund which right now doesn't have any accountability.

Let me tell you one other perverse thing that happens in this fund. The fund is supposed to be used for people and their families who win suits, malpractice suits against doctors, to compensate them for pain and suffering and loss. In recent years, the government has found itself in the perverse position at Medical Review Committee hearings or hearings before the College of Physicians and Surgeons of paying for the lawyers on both sides of the table out of taxpayers' money. The CMPA, using taxpayers' money, has in recent years been paying for the lawyers for the doctors on their side of the table and the Ministry of Health, OHIP as the plaintiff, also uses taxpayers' money. What a perverse position to be in and what a wrong use of a fund that is there to compensate innocent victims and their families, not lawyers, in the cases of disputes between OHIP and doctors.

PROPERTY ASSESSMENT

Mr Sean G. Conway (Renfrew North): My question is for the Minister of Municipal Affairs and Housing. Minister, you plan a major upheaval of the property tax system across Ontario. You're reported this week in the press as saying that you're preparing to introduce legislation to give effect to this province-wide upheaval of the property tax system.

Homeowners in Toronto, apartment dwellers in Ottawa, farmers across rural Ontario, senior citizens province-wide, cottagers in Parry Sound, to name but five groups, want to know and need to know what the specific impacts of your major revolutionary change to the property tax system province-wide will be.

Minister, will you commit today to this House and to the people of Ontario that you will not proceed with your revolutionary change to the property tax system in Ontario without first making public the impacts of your change on all property owners in Ontario?

Hon Al Leach (Minister of Municipal Affairs and Housing): I thank the member opposite for his question. What I will commit to today is to bring in an assessment system that is fair to everybody in Ontario.

The assessment system in Ontario is broken. I think everybody agrees with that. There are some people being subsidized by other taxpayers; some are paying too much; some are paying too little. We want to bring in a system

that's fair and equitable to everybody and we will be doing that.

Mr Conway: Three months ago today, your parliamentary assistant, the Rev Derwyn Shea, was quoted in the press as saying that as your parliamentary assistant he was aware that your officials were busily gathering the specific impacts of your major property tax change.

Given the fact that your own parliamentary assistant has said that work is well advanced on those impact studies, I ask you on behalf of the property tax payers across Ontario, will you commit to tabling those impact studies in this Legislature before you proceed with your revolutionary change which, believe me, is going to capture the interest and the attention of property owners from Toronto to Timmins and from Cornwall to Kenora?

Hon Mr Leach: The Liberal Party may think that fairness is revolutionary; I don't.

All we're trying to do, all we intend to do, is fix a system that's been broken, that the two parties opposite didn't have the courage to address all the time they were in office, and I think everybody agrees with that.

We are going to ensure that the people who have been subsidized by their neighbours pay their fair share, and we're going to ensure that those who have been paying more than their share get back to a system that is fair and we will do that.

1430

Mr Conway: Let me be clear, Minister. You yourself have said in recent days that some people in Ontario, as a result of the Harris property tax plan, will see their taxes increased by over 40%. Your own parliamentary assistant has said that impact studies are being prepared.

Why will you not today commit to the taxpayers of Ontario that before you proceed with this revolutionary change you will release into the public domain the impact studies which your own department is preparing?

Hon Mr Leach: Again I thank the member for his question. It's pretty tough to release impact studies when we haven't yet made a decision on the type of system we're going to implement. As you know, we've developed a panel to look at the options that are available to us and to report back as quickly as they can. As we have information that can be made available to the people of Ontario, we will make it available to the people of Ontario.

OBSTETRICAL CARE

Ms Frances Lankin (Beaches-Woodbine): I want to return to the Minister of Health and the issue of obstetrical care. Minister, I've been listening very carefully and I know that all members of the House are very concerned about what we hear is taking place in the province and the fact that women do not have access at this point in time to this very important care unless they are already registered under the care of an obstetrician.

I have to say, in listening to your answers over the last few days, as you've explained what you've put on the table and offered the obstetricians, they sound like a pretty unreasonable group. I mean, it seemed like the CMPA was the issue that provoked this crisis.

You said on May 30 that you would give them a raise, including their full CMPA. You said on June 4 — I'm

reading these from Hansard — that you're doing everything you can, "including, if the crisis is caused by the debate over malpractice insurance, we fully restored that insurance." You also said on June 4, "The record is clear that we offered to pay the insurance premiums, and then some, to the obstetricians of this province."

You've restored them, made them whole. Why would they be upset? So I gave them a call, and we spoke to someone who's involved in the group of people from the Ontario Society of Obstetricians and Gynaecologists. They indicated that in fact you haven't restored the full amount, that you've offered about a third of what the government would be paying in terms of malpractice, that you're doing that in parts and there's some possibility about the second part coming after Dubin's report. Your officials also gave them 24 hours to respond and they said to you: "We're not a union. We can't speak on behalf of our membership in that way. We've got to talk to people and try and persuade them and see what the response is." "Twenty-four hours, give us an answer or it's off the table."

You've provoked this crisis, Minister. You've told things to this House that appear not to be totally accurate. I think it's time to be straight and to set the record straight with the women of this province so we know what the debate is, what the crisis is and where a resolve might come from.

Hon Jim Wilson (Minister of Health): I've been perfectly straight with the women of this province. I've also said that I would very much want from honourable members, including this honourable member, the names of any patients denied services and I'll personally make sure they get services. That's the commitment of this government. I don't know what else you can do.

We don't have a crisis right now. There's a lot of lead time before any withdrawal of services would have an effect on the women of this province, and therefore we're chatting with the Ontario Medical Association. I firmly stick by my previous comments about what was offered to the obstetricians' association and their response, which said it wasn't enough. I firmly stick by that. The numbers are available. They've been explained in press releases and press scrums. The numbers of what we offered are available, so there's nothing hidden there. People can do the math themselves and figure out that obstetricians, with the offer we made last week, actually got a raise from this government, and I can't think of too many other sectors, including health care sectors, where raises have been offered this year so far.

Ms Lankin: I don't think that information is accurate. You continue in this House to say you have restored full CMPA, and the fact is that you haven't. At least the obstetricians didn't understand that. Maybe you should call them again and explain the offer. Maybe they didn't understand what the offer was, because that's not what your officials told them.

You also said to the women of the province not to be concerned, that you're calling the College of Physicians and Surgeons and asking them to have a serious chat with these obstetricians that they should live up to their responsibility to take on new patients. We called the college and the college has said, "No, we're not going to

be having any serious chat because there's nothing wrong with a doctor refusing to take on a new patient." So that's not going to solve the problem.

You were warned about this. During the Bill 26 hearings we heard from obstetricians, from neurosurgeons and from orthopaedic surgeons and other high-risk areas that if you proceeded along this line, they were going to end up seeing members of their profession withdraw services. Well, the obstetricians have.

I have two questions for you, Minister. Have you been warned by the OMA that other physicians' groups, such as perhaps neurosurgeons and orthopaedic surgeons, will consider actions similar to the obstetricians'? Secondly, are you involved in any discussions with groups similar to your discussions with obstetricians around this issue? What are you going to do to avert a wholesale crisis in the delivery of specialty care in the province of Ontario?

Hon Mr Wilson: First of all, the OMA denied having anything to do with this in the meeting we had two days ago, and we're meeting again this afternoon. I have written a letter today to the president of the OMA asking whether his organization condones this activity, because they have nothing to do with it and they don't agree with the action taken by some of their members. Perhaps it would be incumbent upon them, as responsible leaders in the medical community, to condemn or at least disagree with the actions of their members.

It's clear where this government stands, and we will not be held by blackmail by this group or any other group, given that we have gone to bat for doctors in this province. It's a very positive thing that we have done to try and bring some accountability on their behalf into the CMPA fund.

Other provinces have reacted differently. Quebec, for example, is thinking of getting out of CMPA and setting up its own fund because it got tired of dealing with the fund in Ottawa. They're going to withdraw their money, which will call into question the future of that fund and the availability to cover all of Canada's doctors, I would think, when one of the largest provinces threatens to pull out. We didn't do that. With a lot of warning, discussion and media coverage we said we're very concerned about CMPA and couldn't get any response, so we took action which had the effect of the CMPA and the federal health minister and provincial health ministers agreeing to ask Justice Dubin to look into that, and we'll have his report in September.

I also spoke to the college yesterday and our lawyers had a little chat with them. They have an agreement that they have a responsibility to monitor the services provided or not provided and they will react to complaints, as is their responsibility, from patients who are denied services, if it comes to that.

The Speaker (Hon Allan K. McLean): The question's been answered. Final supplementary.

Mr David S. Cooke (Windsor-Riverside): The other day you said you had contingency plans for communities in a crisis. You indicated that you could bring new graduates and new gynaecologists into communities where a crisis exists. The fact is that the Ontario Society of Obstetricians and Gynaecologists says there are 144 vacant positions in Ontario already, and when they are

completed, those physicians are allocated to communities across the province two years before they even finish their training. In my community obstetricians are not taking new patients, general practitioners today are not taking new patients and there are no midwives in Windsor-Essex.

Minister, what is your contingency plan for the women and families in Windsor-Essex today?

Hon Mr Wilson: There is no crisis today. This is a discussion that obstetricians are having with the government and that we're having with the Ontario Medical Association. Obstetricians in Sudbury, and I have every reason to believe them, say we're at least six months away from any effect on women in this province. I assure you we will continue to do everything during that period of time. We will certainly have Justice Dubin's report.

I said that if we're wrong about the CMPA — we should be getting credit for going to bat for doctors in this province, but I guess when government was paying the endless bills on CMPA the doctors and a lot of other people didn't have any reason to worry about it. The government doesn't have endless, deep pockets any more. The previous government capped health care. We've gone above that cap in the last budget through the generosity of my cabinet and caucus colleagues. We're putting more money into health care today, but it's not unlimited. It's not unlimited in any province. The amount of money available for physicians, including their insurance, is not unlimited.

This province spends 18.5% more than the national average per capita on physician services, so we're one of the most generous provinces, if not the most generous, in terms of what we pay our doctors. We will settle this pay dispute with them over the next six months, before patient care is affected. Let's not unnecessarily keep worrying the women of this province, who I'm sure have enough to think about during their pregnancy period.

1440

IPPERWASH PROVINCIAL PARK

Mr Howard Hampton (Rainy River): My question is for the minister responsible for native affairs and the Attorney General. Last week, our leader asked the Premier to request you, the minister responsible for native affairs, to investigate who reportedly said, "Get the" — expletive deleted — "Indians out of the park." The Premier said, "I don't mind inquiring to find out if anybody knows about this."

Yesterday, our leader asked you again what actions you had taken to investigate whether and when this offensive comment had been made. You have not answered the question, so I ask you again, what actions have you taken to investigate who made this comment? What investigation process have you started? What have you come up with? What do you have to report back to this House?

Hon Charles Harnick (Attorney General, minister responsible for native affairs): I have spoken to those who I understand attended some of the meetings that have been referred to and I have not found anyone who knows anything about that comment or whether it was made or who made it.

Mr Hampton: I want to ask the minister responsible for native affairs, who is also the Attorney General, who have you spoken to, then, and what meetings are you referring to? You will know that this morning, the lawyers for the George family held a press conference and they raised questions regarding the government's involvement in directing the actions of the OPP. Those lawyers advised that they have been contacted by several different sources who have provided facts in the course of their job that the Premier or his office was involved in directing the actions of the OPP. So I ask you, whom have you spoken to and what meetings are you referring to?

Hon Mr Harnick: I've spoken to members of my staff, colleagues and people who have attended the meetings that my friends across the way have referred to. Quite simply I will say again, there has been no government involvement in directing the OPP.

Mr Hampton: We learned yesterday, for example, that the member for Lambton was at the police blockade. Have you spoken to the member for Lambton? Have you spoken to the Premier? Have you spoken to all of the actors in the Premier's office? Have you spoken to all of those people who attended the blockade committee meetings? Have you spoken to these people, and if you have, we'd ask you to table the names of the people whom you have spoken to in this House.

Hon Mr Harnick: My investigations have not indicated, number one, that this comment was made, and of course following from that, who made it.

INTERPROVINCIAL TRADE

Mr Sean G. Conway (Renfrew North): My question is to the Minister of Economic Development and Trade. It concerns jobs in eastern and northeastern Ontario specifically. Minister, people living in communities like Gloucester and Hawkesbury and Pembroke and Mattawa, Kirkland Lake, Timmins, Cornwall, are increasingly concerned that they are the subject of ongoing discrimination in the Quebec labour market because the Quebec government continues to tolerate and apparently support an active discrimination of Ontario workers and Ontario businesses which seek to do business on a level playing field in the province of Quebec, particularly in western and northwestern Quebec.

As the Minister of Economic Development and presumably the minister of interprovincial trade, what are you prepared to tell the working men and women and the business people of eastern and northeastern Ontario that you and your government intend to do to correct this transparent, ongoing discrimination in the Quebec labour market and workplace?

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): I'm happy to respond that our Premier was in Quebec City last week. He spoke to the Premier of Quebec at that time and voiced our concerns about the construction industry situation between the two provinces. I think he made a very good presentation. He feels the point was made, and I think in the future we'll see much better treatment.

We're quite aware, by the way, that Highway 416 will be completed very shortly. We are taking steps to make sure there are proper jobs for Ontario people.

Mr John Gerretsen (Kingston and The Islands): What's that got to do with it?

Hon Mr Saunderson: You asked me about that district, so I am responding.

I'm very pleased to say that I have had a recent discussion with Mr Lalonde of your party, who came to my ministry and said he had a company that was wanting to consider coming to Ontario. We have had discussions with him, and I offered just yesterday to sit down again with him to try to bring his party together with the people in my ministry to make sure we get some process in this. That's going to create jobs.

Ms Frances Lankin (Beaches-Woodbine): Great work. Sterling work, Minister. Job by job we'll save this economy.

Hon Mr Saunderson: Yes, we are doing much to save this economy. But I wanted to report on what was happening in your particular region, which you asked me about.

Mr Conway: I must say that after 21 years in this Legislature I've come to the conclusion that voicing concern in Quebec City, whether the Premier is Davis, Miller, Peterson, Rae or Harris, is not good enough, however well intentioned those prime-ministerial communiqués are.

Yesterday my colleague Mr Lalonde, the member for Prescott-Russell, tabled in this Legislature private member's legislation which would have the effect of legislating in Ontario precisely the same kind of treatment that the Parizeau, Johnson, Bourassa and Bouchard governments have offered and continue to offer Ontario workers and businesses in Quebec.

Would you agree, as minister responsible for inter-provincial trade, that the Lalonde bill introduced yesterday legislating equal treatment in Ontario relative to Quebec ought to be accepted by the government and legislated? I, for one, and speaking for my colleagues Lalonde, Morin, Grandmaître and others, believe that unless and until the Quebec government and the Quebec labour leadership and the Quebec business leadership feel the same kind of treatment in Quebec that Ontario labourers and businesses feel in Ontario from Quebec, nothing is going to change. Will you accept the Lalonde bill and will you undertake to support it as a government initiative?

Hon Mr Saunderson: I shall certainly look at the Lalonde bill. We always do consider every aspect on this side of the House. But let me say to the members on the opposite side that what is happening these days is a result of what they did not do in the past.

I can tell you that we are doing what has to be done in this province to create jobs. It doesn't matter in what particular region we do things. Let me tell you, if we raise the economic tide, the economic tide raises all economic areas in this province and the jobs start to come.

I am not concerned at this stage of the game. May I say that the records of jobs we have available from April show that there were 35,000 new full-time jobs created in

Ontario. That's the strongest monthly gain we've had since November 1994. So I think we are doing our part on this side of the House to look after all regions of this province.

We will certainly look at Mr Lalonde's bill, but I would ask him to do what he can to bring together his company and my ministry.

The Speaker (Hon Allan K. McLean): New question, the leader of the third party.

Mr Bud Wildman (Algoma): I just wonder how many of those jobs in eastern Ontario are going to be filled by Quebec construction workers.

1450

IPPERWASH PROVINCIAL PARK

Mr Bud Wildman (Algoma): My question is to the Minister of Natural Resources. During the occupation of Ipperwash Provincial Park, you were regularly briefed by ministry staff. On September 6, 1995, the day of the incident that took Dudley George's life, you were quoted as saying, "The bottom line here is that it's our park; we paid for it and they're illegally trespassing upon it."

We know that the blockade committee met on September 5 and 6. We know that political staff from your office attended those meetings. Minister, will you tell this House what meetings or briefings you attended yourself with regard to this occupation, what participation you and your ministerial advisers had in those meetings, and are you prepared to make clear to this House what you said and what your ministerial staff said and to table that, if your colleague the minister responsible for native affairs is unwilling to table the whole list?

Hon Chris Hodgson (Minister of Natural Resources, Northern Development and Mines): The quote that you refer to is accurate. It is our park. It was purchased from the federal government. If there's a land claim around that, there is a legal process to enter that, and that's been made clear to the first nation and the legitimate chief, Tom Bressette, and I've met with him on occasion.

The involvement of our ministry is because it is our park; the MNR is responsible for the park. We would have been briefed on what was happening. Our staff would have said the state of the park as we knew it up to that point. Any advice or any concerns that we had would have related to the park and those issues.

Mr Wildman: The minister was quoted on September 6 as saying: "Public safety's always at the forefront of these decisions but on the other hand there has been, in our opinion, illegal activity taking place and it should be dealt with."

Minister, would you clearly explain what you meant by "should be dealt with," and what was your position with regard to how the public should be protected, and did your opinions, private or public, directly or indirectly influence the OPP?

Hon Mr Hodgson: I can't comment on whether it influenced or didn't influence the OPP, but I can tell you as the land owner responsible for the park that the question of public safety was an evacuation of the park of the campers and our staff. That had to be taken into account.

Mr Wildman: There were no campers. The park was closed.

Hon Mr Hodgson: You're referring to a quote, and I'm telling you where it came from. It came from the process around the evacuation, public safety being a concern. As the land owner, we would phone the police. I think I also went on to talk about, in that process, an injunction that might be requested from the Attorney General. If you have any questions on that injunction, that's a legal remedy to an act of trespass.

DEVELOPMENT CHARGES

Mr John R. Baird (Nepean): My question is to the Minister of Municipal Affairs and Housing. Economic development and job creation are top priorities of all local officials in my riding of Nepean. Like the provincial government, my local government is taking real actions to create jobs in our community.

I was reading in the Ottawa Citizen today that the regional municipality of Ottawa-Carleton has decided to lower development charges for single and semidetached homes. Several Ottawa-Carleton municipalities, including my own municipality of Nepean, have already lowered the development charges for new homes in order to encourage growth in the housing sector. Could the minister tell us very specifically what effect these municipal actions will have on the housing market and how much this will help families in buying their own home?

Hon Al Leach (Minister of Municipal Affairs and Housing): I thank my honourable colleague the member for Nepean for his question. I too saw the article in the Citizen, and I consider this to be a very, very positive step. Anything that decreases the cost of a new home is good news for the consumer. The building industry also sees this as good news, and I believe that it will pass these savings on to the consumer. Increased activity in the market will more than make up for any price decrease. As the member noted as well, Nepean has reduced its development charge by almost half, from \$12,000 to \$6,000, and this is going to create the opportunity for thousands of people to make the leap into new home ownership.

The spinoff benefits in home construction are also enormous. Besides the new tax revenue for the municipality, this is job creation. It's estimated that for every \$1,000 reduction in the cost of a new home, 8,000 potential buyers would be eligible to purchase a new house. Think of it: A \$6,000 reduction would make it possible for 48,000 potential new home buyers, and the spinoff effects to the consumers — the purchasers of refrigerators, dryers, landscaping and moving — I see this as a great move. It's jobs, jobs, jobs. It's music to my ears.

Mr Baird: I agree with the minister that municipalities helping to encourage growth in the housing sector is a very positive step. It will boost the sagging housing industry and create jobs, and it helps increase the overall housing stock, particularly the rental stock as well. Could the minister tell the House what his ministry is doing to complement these actions, to encourage growth and new jobs in the housing industry?

Hon Mr Leach: Again, I thank my colleague for that great question. In his budget my colleague the Minister of Finance announced the land transfer tax rebate of up to \$1,725 for all first-time buyers of a new home. This is a very welcome step to encourage growth, and because of this and other measures the housing market is stronger now than it has been for a long time. The building industry tells me that consumer confidence in the industry is critical. A cut in taxes certainly goes a long way in this respect, and I note that resales in May reached their highest level in a decade in Ontario.

CROWN LAND CAMPING FEES

Mr Michael A. Brown (Algoma-Manitoulin): I have a question for the Premier. Just to be helpful to the Premier, I'm going to reference Hansard, page 5832 on 25 April 1994. I want to ask the Premier if he can confirm today that his Minister of Natural Resources is about to increase the tax on Boy Scouts who have property at Lake Panache near Espanola by 2,700%.

Hon Michael D. Harris (Premier): I have no idea whether this is what's happening. I would be prepared, if you would wish me, to talk to the minister and to ascertain if this is indeed the case. I don't know whether it's — how much, 2,700%? I don't know whether that's a three-cent increase. I don't know whether that is accurate. I don't know whether that is real. I don't know whether that is new.

But my experience of the Ministry of Natural Resources is that it has been very fair and reasonable in any very modest user fees it has proposed to put our parks on a more sustainable basis. I can tell you as well that to the best of my knowledge — I may be wrong; I'll check too — I have had not one word of complaint from the Boy Scouts about this government, about me, about the ministry or about the minister. But I'll check that for you.

Mr Michael Brown: I can help you. It's not three cents; it's \$720. This may not seem like a lot to you, but these are your words to the now deputy leader of the NDP, the former Treasurer, on April 25, 1994:

"This may not seem like a lot to you, Minister, but this is the first time in the history of this province that we've had to go after these kids, trying to teach them a little bit about conservation, a little bit about managing of our forests, that we've had to go into" the pockets of kids.

"For parents sending their kids to campgrounds, for the kids who sell apples to raise money, it may mean the difference between going to a...park this year and not going to a...park."

Mr Premier, in order to fund your tax decrease, do you have to go after the Boy Scouts and Girl Guides of this province?

Hon Mr Harris: You have me a little bit disadvantaged. I don't have my 1994 quotes, where it sounds like for some reason or other — and if you send them over I'd appreciate it — the former New Democratic Party government was unfairly going after kids and children. I'm very surprised the New Democratic Party would do such a thing, particularly targeting the children.

But I can tell you this, that the —

Interjections.

The Speaker (Hon Allan K. McLean): Order. Premier.

Hon Mr Harris: I can tell you this, that the current Minister of Natural Resources, whom you are referring to, who wants to bring in accountability and responsibility, and may be asking parents of children to participate in the use of some of the resources that are there, that the honourable member and minister is honorary chair of the Hamilton district Scouts and Guides. Just two weeks ago they applauded him; they thanked them for his involvement. His ministry is actively involved in the curriculum of Scouts and Guides, where they have actively applauded not only the long history of the ministry, but the current minister himself for leading the way in this area.

With regard to the specifics and any implications that may have for those parents of children who can afford to pay, we'd be glad to look into those specifics and get back to the member on that.

1500

ONTARIO WOMEN'S DIRECTORATE

Ms Marilyn Churley (Riverdale): My question is for the minister responsible for women's issues. As you know, the national Women's March Against Poverty is making its way today from Wawa to Sault Ste Marie. In April, you said to this House that you could rationalize abolishing the Ontario Advisory Council on Women's Issues, because women have been telling you they want more direct contact with the minister. But Minister, if any of those women who are marching across the province had tried yesterday and today, like our staff did, to contact the Ontario women's directorate, they would have gotten a voice mail. I'd like to ask you, what is going on at the OWD? Why don't they answer their phones?

Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues): I'm not aware that they don't answer their phones, and I will take that observation under advisement and get back to the member as quickly as I can, within the next few minutes.

Ms Churley: Minister, I just don't think that answer is adequate. You don't even know that the phones are being answered. You told women you wanted to consult with them directly, and that's your link to women. Your idea of consultation is a joke if you don't even know if their phones are not being answered over there. You get rid of an advisory council and replace it with a series of meetings led by you, called "Community Talks."

How is the women's community going to talk to you when nobody is answering the phones? We called yesterday at 11:20 am and 3 pm, and today at 10:10 am and 12:20 pm. A message told us to leave a name and phone number "if you want."

How are you then, as the minister responsible for women's issues, going to explain to the women who will be gathering here this Saturday to protest what your government is going to do to them and has done to them and their families? How do you explain this?

Hon Mrs Cunningham: I think really that the member is asking us whether or not we are able to speak to the

women in the province of Ontario. The incident about the telephone is something I will look into. That is a complaint I have never had as minister responsible for women's issues, and you know in this House that we have a very effective Ontario women's directorate in the province of Ontario. When I was out last week in Winnipeg, Manitoba, speaking to the other women responsible for women's issues, they advised us that we have one of the best-informed directorates across Canada, of which you once were part, as were the Liberals.

I want all my colleagues to know that we met with the women who are marching across Canada at that time. We had an informal meeting. I have already spoken to them on more than one occasion.

As to our intent to get out and talk to the women across this province, I am out almost every evening speaking to the women, including this evening in Toronto. We have already had community talk sessions across the province. They have been very well received. We have already had Partners in Change sessions across the province. They have been very well received. We are getting good advice on policy, good advice on how we can improve our programs. We have a very open communication process in the province of Ontario for women and have no complaints, except for the ones you give us on a daily basis in this House.

AGRICORP

Mr Toby Barrett (Norfolk): When I met with farm leaders in my riding of Norfolk prior to the budget and the announcement about the AgriCorp agency, I heard some concerns, concerns that our doing more for less could actually mean doing less for less.

Now that the Minister of Agriculture, Food and Rural Affairs has introduced the agrifood and rural business bill, could he explain to the farmers I represent and the agricultural community across Ontario how this will enable the ministry to provide better service to farmers for less? Second, could the minister tell us a bit about the mandate for AgriCorp?

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): I want to thank my colleague from Norfolk for that question. I know he was in consultation with farmers in his riding, in Delhi and Waterford and Simcoe and other communities.

Let me tell him first of all that the agrifood and rural business bill is getting rid of a lot of deadwood that was laying there within the Ministry of Agriculture and had to be done away with. Second, AgriCorp was set up pursuant to a try by the Liberals, and they didn't have the political will to bring it forth. Another try by the NDP; they didn't have the political will to bring it forth.

We brought forth AgriCorp, which will be run by farmers, administered by farmers, to look after the safety net issue, which includes GRIP, NISA and the crop insurance. I want the honourable member to know that this will be administered by the Crop Insurance Commission initially, which is farmers working for farmers, and who better can administer something like AgriCorp?

Mr Barrett: We saw too many times under previous governments that farmers were not properly consulted

when changes were pending to programs that affect them. The Ministry of Agriculture, Food and Rural Affairs has set a positive precedent for consulting farmers in my riding and also across Ontario with the table talk sessions.

I wonder if the minister could tell us how the creation of a new crown agency, AgriCorp, would be accountable to farmers.

Hon Mr Villeneuve: As I mentioned in the initial reply, it will be managed and operated by farmers for farmers.

I want to remind my colleagues and my friends in this Legislature that indeed in the budget we had good news, good news from all across the agricultural sector: \$15 million for research, development and competitive action that we in agriculture will have to bring forth to the world, and we will be rebating \$20 million in the building products for farm buildings.

Interjections.

Hon Mr Villeneuve: The honourable members don't like to hear this good news. There is good news and the agricultural community knows about it; they've recognized it. I appreciate the opportunity of answering that question.

1510

PHYSICIAN SHORTAGE

Mr Rick Bartolucci (Sudbury): My question is to the Minister of Health. Not only is there a crisis with obstetric services, but now we have a family physician crisis looming in Sudbury which jeopardizes the health care services for patients requiring a family physician.

Minister, you will know you have ardent supporters of the Conservative health care agenda deciding that it just ain't worth it any more to practise in Sudbury: specialists, such as Dr Jack Hollingsworth, a government appointee to the Ontario drug commission and Tory fund-raiser, leaving for one year at least, returning to his roots in Ireland; family physicians, such as Dr Killian De Blacam, another Tory fund-raiser, moving to Detroit; other family physicians, such as Dr Joel Andersen, relocating, Dr Deacon and Dr St Martin closing their family practices to operate out of their clinics. The crisis is real with these four family practitioners leaving.

Minister, on April 3 of this year, you designated Sudbury as an underserved area, requiring four additional doctors. Since then, these four doctors have announced that they're going. Two more are going to retire this summer and several more are thinking of going.

The Speaker (Hon Allan K. McLean): Put your question.

Mr Bartolucci: My question is, what emergency measures are you prepared to implement to ensure Sudburians have an adequate number of family physicians?

Hon Jim Wilson (Minister of Health): I say to the honourable member, first of all, that the underserved area program designation received by Sudbury is a very important and very substantial incentive package to attract doctors to Sudbury. I have letters from Dr De Blacam and Dr Jack Hollingsworth. Dr De Blacam writes saying:

"Dear Jim:

"Just a note to let you know that I'm on sabbatical leave from Sudbury for 12 months, taking extra training in Detroit."

He goes on to say he'll be back. He wants to upgrade his skills, a perfectly legitimate thing to do. We encourage CME, and in fact it's part of what the doctors are asking for and it's contained in the physician action plan, CME being continual medical education. The government, through the OMA actually, has a program to pay for some of these leaves.

With respect to the word "crisis," I have a letter dated May 29 — because when I heard about these things up in the north, we chatted with the doctors in the north. Dr Chris McKibbin, who is the president of the medical society in Sudbury, certainly indicates that it's not a crisis in his letter to me of May 29. Jack Hollingsworth, I've a letter from him and he says he's going for some personal reasons and some reasons to do with his children. He wants them to get in touch with their Irish roots. He's going to Ireland for a year. So we see in many communities professionals coming and going and the ministry will work with the people of Sudbury as has been the tradition of all governments with the Sudbury area to attract physicians to that area.

Mr Bartolucci: It's interesting that the minister has these letters. I have a meeting with Dr McKibbin on Saturday morning at his request to discuss the emergency that he sees. Now I'm wondering who's on first here and what in fact the minister and how the minister is interpreting what Dr McKibbin is saying. There clearly is a crisis in Sudbury, with family physicians. The ministry designated it an underserved area, when we had four family physicians more than we're going to have a month from now. Obviously there's a crisis, and the crisis continues to grow.

But let's talk about the underserved program. The underserved designation in Sudbury is not working. Why has the ministry refused to accept Dr Paul Rheault and Dr Tim Zimowski as successful candidates for the underserved area program because of a technicality which, when you compare their combined caseloads, you're looking at 6,000 cases. They've had to appeal to their patients for a letter-writing program, for a telephone phone-in program to try to convince the Ministry of Health in northern Ontario to designate these two doctors as underserved designations. Why haven't you granted that to these two doctors?

Hon Mr Wilson: It would be inappropriate for me to divulge the personal information in those cases, other than that the doctors, in order to qualify for the program, need the consent of the College of Physicians and Surgeons. I would have to check if the technical difficulties were perhaps in the accreditation process from the College of Physicians and Surgeons.

We're eager to get doctors to the north. I've been up there and have spoken to the medical society and have a nice letter from Dr Chris McKibbin, who says he looks forward to continuing to work with me and the government to solve the problems in the north.

I'm looking forward in a few days to responding to the Professional Association of Interns and Residents of

Ontario, who did a northern tour earlier this year and came up with some good ideas to enhance services to the north. I'm reviewing that right now and hope to make an announcement in a few days, which will be more good news for northern Ontario.

I've spent a considerable amount of my time delivering good news to northern Ontario. We're going to do everything we can to make sure you have physicians in Sudbury, I assure you.

PETITIONS

NORTH YORK BRANSON HOSPITAL

Mr Monte Kwinter (Wilson Heights): I have a petition to the Legislative Assembly of Ontario.

"Whereas the final report of the Metropolitan Toronto District Health Council hospital restructuring committee has recommended that North York Branson Hospital merge with York-Finch Hospital;

"Whereas this recommendation will remove emergency and inpatient services currently provided by North York Branson Hospital, which will seriously jeopardize medical care and the quality of health to the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening medical conditions;

"We petition the Legislative Assembly of Ontario to reject the recommendation contained within the final report of the Metropolitan Toronto District Health Council hospital restructuring committee as it pertains to North York Branson Hospital, so that it retains, at minimum, emergency and inpatient services."

I have affixed my signature.

CHILD CARE

Mrs Marion Boyd (London Centre): "To all members of the Ontario Legislature:

"Whereas the children of Ontario deserve accessible, quality child care;

"Whereas the child care review committee of the Harris Conservative government is considering cutting subsidies to child care and threatening to introduce user fees;

"Whereas the Harris Conservatives are also contemplating a number of changes to current child care legislation that would lower licensing standards so that child care centres would be required to renew their licences only every three years;

"Whereas the child care committee of the Conservative government has discussed handing the enforcement of regulations over to a self-regulating body;

"Therefore we, the undersigned, call upon the Legislature of Ontario to ensure that child care subsidies be restored to the level introduced by the previous NDP government, that licensing standards be maintained at the current level and that the Conservative government ensure that the enforcement of regulations not be devolved to the child care industry."

This is signed by a number of constituents in my riding, and I am proud to attach my signature.

CHILDREN'S LAW REFORM LEGISLATION

Mr John Hastings (Etobicoke-Rexdale): I have a petition from some 440 people from my riding and southern Ontario ridings.

"To the Legislative Assembly of Ontario:

"Whereas Bill 27, An Act to amend the Children's Law Reform Act, was introduced for first reading on December 11, 1995;

"Whereas the bill amends the Children's Law Reform Act to emphasize the importance of children's relationships with their parents and grandparents;

"Whereas the amendment would require parents and other guardians with custody of children to refrain from unreasonably placing obstacles to personal relations between children and their grandparents;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Please pass Bill 27 with royal assent without further delay to amend the loopholes in the existing Children's Law Reform Act."

I affix my signature to this petition.

DÉCHETS TOXIQUES

M. Jean-Marc Lalonde (Prescott et Russell) : J'ai reçu de M^{me} Cécile Bourdeau une pétition qui contient 650 signatures relative aux déchets industriels de papiers peints de spécialité Domtar.

«Attendu que l'industrie de papiers peints spécialisés Domtar veut faire l'épandage de déchets industriels sur les terrains agricoles d'Embrun ;

«Attendu que ces déchets industriels au bout contiennent des produits cancérigènes et que le taux de cancer dans notre région est déjà très élevé ;

«Attendu que suite à nos craintes pour notre santé, nous avons fait faire une analyse par un laboratoire qui confirme que ces déchets contiennent des métaux très toxiques ;

«Nous demandons que ce projet soit aboli pour le bien-être de la population actuelle et la génération future.»

1520

FISCAL AND ECONOMIC POLICY

Ms Frances Lankin (Beaches-Woodbine): A petition to the Legislature:

"Whereas evidence placed before the standing committee on finance and economic affairs illustrates that the stated fiscal plan of the government of Ontario will not work and the government's commitment to deliver 725,000 jobs over the next four years is unattainable given the current state of the Ontario economy combined with the government's plan to deliver a 30% reduction in personal income taxes at the same time as eliminating the deficit, and that the evidence presented to the committee illustrates the contradictions within the government's fiscal and economic agenda as well as the damage it will cause in every community in Ontario;

"We, the undersigned, petition this government to recognize its responsibility to working women and men in this province and abandon its plan to introduce a 30%

reduction in personal income taxes and instead the government should concentrate on the creation of jobs so the economy will grow, the deficit can be eliminated and accumulated debt reduced."

I'm affixing my signature to this petition in agreement.

ONTARIO HYDRO

Mr John O'Toole (Durham East): My riding of Durham East is the home of the Darlington nuclear plant. The citizens in my community are concerned with the findings and decisions soon to be announced by the Macdonald commission.

"We, the undersigned, petition the Parliament of Ontario to not proceed with the privatization of Ontario Hydro, especially the nuclear component which represents a potential safety threat to the people of Ontario (in any unregulated environment)."

NON-PROFIT HOUSING

Mr Alvin Curling (Scarborough North): This is a petition to the Legislative Assembly of Ontario:

"Whereas the Ontario government has clearly indicated that it 'wants to get out of the housing business'; and

"Whereas the Ontario government is reviewing the legal contracts and budgets of every co-op housing project in the province; and

"Whereas the Ontario government has announced plans to make huge cuts to co-op and non-profit housing funding; and

"Whereas the Ontario government wants to replace affordable housing with subsidies to private landlords; and

"Whereas co-op housing is a proven success in providing affordable homes owned and managed by the people who live in them; and

"Whereas the actions of the Ontario government threaten to destroy stable, well-maintained communities which have been built over the last quarter of a century and the investment all Ontarians have made in this stock of affordable social housing;

"We, the undersigned, request that the Ontario government sit down with the co-op housing sector to negotiate a deal which will ensure the long-term financial viability of housing co-ops and the continuance of rent-geared-to-income assistance upon which thousands of co-op members depend, and which will promote greater responsibility for administration by the co-op housing sector and less interference by the government in the day-to-day operations of housing co-ops."

I'll affix my signature. I know that if Kay Gardner were able to do so, she would also affix her signature to this petition.

RENT REGULATION

Ms Marilyn Churley (Riverdale): I have yet another petition from my riding on rent control. It reads:

"Petition to the Ontario Legislature:

"To Premier Mike Harris, Minister Al Leach and members of the Ontario Legislature:

"Whereas Mike Harris's Conservative government of Ontario is planning to destroy the present system of rent control; and

"Whereas Mike Harris and the Conservative Party made no mention of scrapping rent control during the election campaign of 1995 or in the Common Sense Revolution document; and

"Whereas a number of Conservative candidates in ridings with high tenant populations campaigned during the 1995 election on a platform of protecting the current rent control system; and

"Whereas the government has consulted with special-interest groups representing landlords and developers while cutting funding to organizations representing the 3.5 million tenants of Ontario; and

"Whereas although all renters will suffer, seniors and others on fixed incomes will suffer particular hardship if rent controls are abolished; and

"Whereas eliminating rent control will result in skyrocketing rents in Ontario;

"Therefore we, the undersigned, call on the Legislature of Ontario to stop the attack on the 3.5 million tenants of the province."

I agree with this petition and affix my signature to it.

MANDATORY INQUESTS

Mr Rick Bartolucci (Sudbury): This petition is to the Honourable Solicitor General and the Legislative Assembly of Ontario:

"Whereas the Progressive Conservative government of Ontario has decided to scrap mandatory inquests as a result of fatalities in the mining and construction industry; and

"Whereas this unprecedented and callous decision sets workplace safety back 20 years;

"We, the undersigned, request that the Solicitor General, on behalf of all workers in the mining and construction industry, to reverse this decision to remove mandatory inquests from the Coroners Act of Ontario."

Because this is so important and because I agree with it, I have affixed my name to it.

RENT REGULATION

Mr Gilles Bisson (Cochrane South): I have a petition here from the good people of the city of Toronto and it's addressed to the Legislature of Ontario and reads as follows:

"Whereas the Mike Harris Conservative government of Ontario is planning to destroy the present system of rent control;

"Whereas Mike Harris and the Conservative Party made no mention of scrapping rent control during the election campaign of 1995;

"Whereas a number of Conservative candidates in ridings with very high tenant populations campaigned during the 1995 election on a platform to protect the current rent control system;

"Whereas although all renters will suffer, seniors and others on fixed incomes will suffer particular hardship if rent controls are abolished;

"Whereas eliminating rent control will result in skyrocketing rents in Ontario;

"Therefore we, the undersigned, call upon the Legislature of Ontario to stop this attack on the 3.5 million tenants of this province."

I sign this petition.

SCARBOROUGH GENERAL HOSPITAL

Mr Dan Newman (Scarborough Centre): I have a petition today signed by a number of residents from Scarborough Centre and it's to the Legislature of Ontario.

"Whereas the recommendations of the Metropolitan Toronto District Health Council to close inpatient paediatric beds, the special care nursery and the burn care unit at the Scarborough General Hospital, resulting in significantly reduced access to paediatric, newborn and burn care for a large geographic area of Scarborough; and

"Whereas the paediatric unit, special care nursery and burn unit at Scarborough General Hospital provide very cost-efficient, quality care;

"We, the undersigned, petition the Legislature of Ontario to: (1) continue paediatric services, including inpatient paediatric beds; (2) continue special care nursery services; and (3) continue and combine Metropolitan Toronto's burn care at Scarborough General Hospital."

I've affixed my signature to this petition.

LIQUOR CONTROL BOARD OF ONTARIO

Mr James J. Bradley (St Catharines): I have a petition that reads as follows:

"Whereas the government of Ontario appears to be moving towards the privatization of retail liquor and spirit sales in the province; and

"Whereas the LCBO provides a safe, secure and controlled way of retailing alcoholic beverages; and

"Whereas the LCBO provides the best method of restricting the sale of liquor to minors in Ontario; and

"Whereas the LCBO has an excellent program of quality control of the products sold in its stores; and

"Whereas the LCBO provides a wide selection of product to its customers in modern, convenient stores; and

"Whereas the LCBO has moved forward with the times, sensitive to the needs of its customers and its clients; and

"Whereas the LCBO is an important instrument for the promotion and sale of Ontario wine and thereby contributes immensely to the grape-growing and wine-producing industry,

"Therefore, be it resolved that the government of Ontario abandon its plan to turn over the sale of liquor and spirits to private liquor stores and retain the LCBO for this purpose."

I affix my signature to this petition as I'm in complete agreement with its contents.

RENT REGULATION

Mr Mike Colle (Oakwood): "To the Legislative Assembly of Ontario:

"Whereas the Harris government is planning to remove rent controls; and

"Whereas the removal of rent control legislation breaks the campaign promise made by the Conservatives during the election; and

"Whereas a great number of tenants are seniors and people on fixed incomes and many of those have had their incomes cut by 22% due to social assistance cuts and cannot afford an increase in their rent; and

"Whereas growing unemployment and the scarcity of affordable housing in Metro makes the removal of rent control an even greater disaster for tenants and for people who cannot afford homes;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the government of Ontario keep their pre-election promise and not remove rent controls and continue with the Landlord and Tenant Act and Rental Housing Protection Act."

I affix my name to this fine petition.

1530

Mr Gilles Pouliot (Lake Nipigon): On the same issue, more and more concerned citizens, fully 15 more on this sheet, petitioning the Ontario Legislature.

"To Premier Mike Harris, Minister Al Leach and members of the Ontario Legislature:

"Whereas Mike Harris's Conservative government of Ontario is planning to destroy the present system of rent control;

"Whereas Mike Harris and the Conservative government made no mention of scrapping rent control during the election campaign of 1995 or in the Common Sense Revolution;

"Whereas a number of Conservative candidates in ridings with high tenant populations campaigned during the 1995 election on a platform of protecting the current rent control system;

"Whereas the government has consulted with special-interest groups representing landlords and developers while cutting funding to organizations representing the 3.5 million tenants in the province of Ontario;

"Whereas although all renters will suffer, seniors and others on fixed incomes will suffer particular hardship if rent controls are abolished;

"Therefore we, the undersigned, call upon the Legislature of Ontario to stop the attack on the 3.5 million tenants of this province."

As a future tenant because, being of moderate means, I have no alternative, I'm pleased to join in this plea for common sense: Scrap the proposed legislation. Therefore, I will affix my signature to the petition.

INTRODUCTION OF BILLS

GOVERNMENT PROCESS SIMPLIFICATION ACT
(MINISTRY OF THE ATTORNEY GENERAL), 1996

LOI DE 1996 VISANT À SIMPLIFIER
LES PROCESSUS GOUVERNEMENTAUX
AU MINISTÈRE DU PROCUREUR GÉNÉRAL

Mr Harnick moved first reading of the following bill:
Bill 61, An Act to simplify government processes and to improve efficiency in the Ministry of the Attorney

General / Projet de loi 61, Loi visant à simplifier les processus gouvernementaux et à améliorer l'efficacité au ministère du Procureur général.

The Acting Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

ENDANGERED, THREATENED
AND VULNERABLE SPECIES ACT, 1996

LOI DE 1996 SUR LES ESPÈCES VULNÉRABLES,
MENACÉES OU EN VOIE DE DISPARITION

Mr Wildman moved first reading of the following bill:
Bill 62, An Act to revise the Endangered Species Act and to protect Threatened and Vulnerable Species / Projet de loi 62, Loi révisant la Loi sur les espèces en voie de disparition et visant à protéger les espèces vulnérables et les espèces menacées.

The Acting Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

Mr Bud Wildman (Algoma): The purpose of the bill is to replace the Endangered Species Act. The act currently provides protection to endangered species of animals and plants. This bill extends this protection to threatened and vulnerable species as well.

A committee may be established to advise the Minister of Natural Resources as to which species should be declared endangered, threatened or vulnerable and as to possible recovery plans to ensure the survival of those species. The minister may acquire land or enter into land management agreements with a view to protecting designated species and their habitats.

GOVERNMENT PROCESS SIMPLIFICATION ACT
(MINISTRY OF CITIZENSHIP,
CULTURE AND RECREATION), 1996

LOI DE 1996 VISANT À SIMPLIFIER
LES PROCESSUS GOUVERNEMENTAUX
AU MINISTÈRE DES AFFAIRES CIVIQUES,
DE LA CULTURE ET DES LOISIRS

Ms Mushinski moved first reading of the following bill:

Bill 63, An Act to simplify government processes and to improve efficiency in the Ministry of Citizenship, Culture and Recreation / Projet de loi 63, Loi visant à simplifier les processus gouvernementaux et à améliorer l'efficacité au ministère des Affaires civiles, de la Culture et des Loisirs.

The Acting Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

GOVERNMENT PROCESS SIMPLIFICATION ACT
(MINISTRY OF CONSUMER AND
COMMERCIAL RELATIONS), 1996

LOI DE 1996 VISANT À SIMPLIFIER
LES PROCESSUS GOUVERNEMENTAUX
AU MINISTÈRE DE LA CONSOMMATION
ET DU COMMERCE

Mr Sterling moved first reading of the following bill:
Bill 64, An Act to simplify government processes and

to improve efficiency in the Ministry of Consumer and Commercial Relations / Projet de loi 64, Loi visant à simplifier les processus gouvernementaux et à améliorer l'efficacité au ministère de la Consommation et du Commerce.

The Acting Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

GOVERNMENT PROCESS SIMPLIFICATION ACT
(MINISTRY OF ECONOMIC DEVELOPMENT,
TRADE AND TOURISM), 1996

LOI DE 1996
VISANT À SIMPLIFIER LES PROCESSUS
GOUVERNEMENTAUX AU MINISTÈRE DU
DÉVELOPPEMENT ÉCONOMIQUE,
DU COMMERCE ET DU TOURISME

Mr Saunderson moved first reading of the following bill:

Bill 65, An Act to simplify government processes and to improve efficiency in the Ministry of Economic Development, Trade and Tourism / Projet de loi 65, Loi visant à simplifier les processus gouvernementaux et à améliorer l'efficacité au ministère du Développement économique, du Commerce et du Tourisme.

The Acting Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

GOVERNMENT PROCESS SIMPLIFICATION ACT
(MINISTRY OF ENVIRONMENT
AND ENERGY), 1996

LOI DE 1996 VISANT À SIMPLIFIER
LES PROCESSUS GOUVERNEMENTAUX
AU MINISTÈRE DE L'ENVIRONNEMENT
ET DE L'ÉNERGIE

Mrs Elliott moved first reading of the following bill:

Bill 66, An Act to simplify government processes and to improve efficiency in the Ministry of Environment and Energy / Projet de loi 66, Loi visant à simplifier les processus gouvernementaux et à améliorer l'efficacité au ministère de l'Environnement et de l'Énergie.

The Acting Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

GOVERNMENT PROCESS SIMPLIFICATION ACT
(MINISTRY OF HEALTH), 1996

LOI DE 1996 VISANT À SIMPLIFIER
LES PROCESSUS GOUVERNEMENTAUX
AU MINISTÈRE DE LA SANTÉ

Mr Wilson moved first reading of the following bill:

Bill 67, An Act to simplify government processes and to improve efficiency in the Ministry of Health / Projet de loi 67, Loi visant à simplifier les processus gouvernementaux et à améliorer l'efficacité au ministère de la Santé.

The Acting Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

GOVERNMENT PROCESS SIMPLIFICATION ACT
(MINISTRY OF NORTHERN DEVELOPMENT
AND MINES), 1996

LOI DE 1996 VISANT À SIMPLIFIER
LES PROCESSUS GOUVERNEMENTAUX
AU MINISTÈRE DU DÉVELOPPEMENT
DU NORD ET DES MINES

Mr Hodgson moved first reading of the following bill:
Bill 68, An Act to simplify government processes and to improve efficiency in the Ministry of Northern Development and Mines / Projet de loi 68, Loi visant à simplifier les processus gouvernementaux et à améliorer l'efficacité au ministère du Développement du Nord et des Mines.

The Acting Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

GOVERNMENT PROCESS SIMPLIFICATION ACT
(MINISTRIES OF THE SOLICITOR GENERAL
AND CORRECTIONAL SERVICES), 1996

LOI DE 1996 VISANT À SIMPLIFIER
LES PROCESSUS GOUVERNEMENTAUX
AUX MINISTÈRES DU SOLICITEUR GÉNÉRAL
ET DES SERVICES CORRECTIONNELS

Mr Runciman moved first reading of the following bill:
Bill 69, An Act to simplify government processes and to improve efficiency in the Ministry of the Solicitor General and the Ministry of Correctional Services / Projet de loi 69, Loi visant à simplifier les processus gouvernementaux et à améliorer l'efficacité au ministère du Solliciteur général et au ministère des Services correctionnels.

The Acting Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

1540

OPPOSITION DAY

RENT REGULATION

Mr Wildman moved opposition day motion number 3:
Whereas the NDP government's Rent Control Act protects tenants from high rent increases; and

Whereas the 1992 Rent Control Act was the result of extensive consultation with tenants, landlords and other groups; and

Whereas tenants deserve rents that are predictable and fair; and

Whereas gutting rent control will do nothing to stimulate new private sector housing construction or solve maintenance problems; and

Whereas the Mike Harris Conservative government has cancelled more than 15,000 units of co-op and non-profit housing and has embarked on a plan to privatize public housing; and

Whereas the Mike Harris Conservative government now wants to gut rent control; and

Whereas the previous Conservative and Liberal governments failed to protect tenants from high rent increases;

Therefore this House calls on the Conservative government to keep the existing system of rent control, which protects tenants from high rent increases through a cap on rents, and ensures that landlords whose buildings are not properly maintained cannot increase rents; and to ensure that tenants still have security of tenure and access to the courts under the Landlord and Tenant Act.

Mr Bud Wildman (Algoma): Frankly, those of us in our party wish we did not have to bring this matter before the House. We had hoped that all members of the assembly would want to protect the 3.5 million tenants in this province and would recognize the responsibility to ensure that a rent control program remain in place. We all know, or should know, that one third of the residents in this province are currently protected under the Rent Control Act, and if that act is changed or rent control is removed, if the government caves in to landlord and developer pressure to allow for hefty rent increases, those residents are vulnerable.

Unfortunately, it appears that this government is intending to move and is stating that it will change the current system. We believe they should be keeping the present system in place to ensure that there is proper rent control, because we recognize that the current system, unlike the systems that were in place prior to its being passed by this House under the previous government, does indeed protect tenants from high rent increases.

This government has given mixed messages in this matter. There are members of the assembly who campaigned for the Conservative Party in the last election who came out squarely opposed to rent control, rent control of any kind. Many of them said the market should simply set rents and that somehow the invisible hand of the marketplace would serve the interests certainly of the developers and of landlords, but that it even some way or other might serve the interests of tenants.

We don't have the same laissez-faire, Adam Smith confidence in the invisible hand of the marketplace that many of the members of the assembly who sit on the opposite side appear to have. But I said it was a mixed message, because certain members, some of whom are even now members of the executive council, campaigned on the basis that the rent control system would remain in place and that tenants would have the protection of real rent control.

The Minister of Municipal Affairs and Housing has made a number of different statements. It's interesting that during the recent by-election the candidate for the Conservative Party indicated that he and the Conservatives would continue rent control. What he meant by "rent control" is unclear, but he said a system of rent control would continue. The minister has said in this House that he intends to bring forward a "better" rent control system, some sort of system that would protect tenants, he says. He has said that the Liberal Party, when it was in government, failed to protect tenants. The Premier has said that the legislation currently in place, brought in by the NDP government, was better than what the Liberals did, in his opinion, but he thinks it can be somehow improved upon by this government.

Members of the government continually repeat the canard that rent control has somehow brought an end to

investment in affordable housing in the province. It's interesting, because all the evidence, all the studies by experts have indicated that without a rent control system, tenants are significantly hurt, yet it is very unlikely that it will mean a significant increase in affordable housing for tenants in the province. All it will mean is increased rents.

It remains unclear what this government means by "a better system to protect tenants." The minister appeared before a large meeting recently and said he was guaranteeing that tenants would be protected under whatever new system the government is contemplating. We understand he has a number of options before him, and I guess he's getting close to deciding what option he will choose. But it seems very likely that whichever option he chooses, it is not going to be the kind of protection that tenants currently enjoy.

Mr Frank Klees (York-Mackenzie): It will be better.

Mr Wildman: Well, I look forward to the interventions of members of the government party during this debate in which they will explain how it will be better, since they continually say it is going to be better. We would like to know what it means. Instead of just saying "better," tell us what you mean, what changes are being considered. If the final decisions haven't been made — I suspect they have — what are the options being proposed, and how are those options likely to protect tenants better?

The reason I say we've got mixed messages is because the minister, at the same time he says he's going to have a better system, makes other statements which basically indicate that he believes rent control is a nuisance, an impediment to investment, an irritant for the private sector, a situation where government is in the face of the landlords and the developers, that somehow government is wrongly interfering in the system.

1550

That's why we're interested in finding out what they mean by "better" when they say it, because it seems to me that any system they propose will not include caps or, if it does include caps, they will be so high that they will allow for very significant increases in rents. That is what will threaten affordable housing in this city and in this province.

There are very many people who are directly dependent on the continuation of a real rent control — and I underline the word "control" — system. If the government is considering returning to a rent review system or some variant of rent review, then tenants are indeed vulnerable. We've seen the kinds of increases that were allowed under the previous rent review system. We've seen situations where landlords carried out renovations that were not requested by tenants, were not required — in some cases they were cosmetic — but were used to justify enormous increases in rent that in some cases put the housing those tenants were occupying out of their reach and no longer affordable.

What does "better" mean? It is our view that this government should not tamper with the rent control system, should not make changes in the rent control system until such time as it's able to demonstrate what it means by "better" and until such time as they've properly

consulted with tenants, as well as landlords and developers and municipal leaders, and until they have the acquiescence of tenants, tenants say, "Yes, this is indeed a better system." Because if you can't convince the tenants that change is necessary and useful and will benefit them, then you shouldn't be doing it.

What I say to you, what I say to this assembly and to the people in this assembly, what I say to the government is: Keep rent control; it protects tenants. Don't attack one third of the residents of this province simply to benefit developers and landlords who may not like the present system. It is imperative that tenants not be the latest casualties of the Harris revolution in this province. I call on all members of the assembly to accept and support the resolution, to state categorically and clearly that they stand on the side of tenants, they stand for affordable housing, they want to keep rent control in Ontario.

Mr Derwyn Shea (High Park-Swansea): I am pleased to rise in response to the honourable member for Algoma's resolution expressing concern for the situation facing tenants in Ontario today. Let me begin by stating that if his goal is to protect the rights of tenants, then this government is delighted to have him as our ally in our efforts to improve the system. However, if the honourable member's goal is to try and retain the current flawed system to the detriment of tenants in Ontario, then he will find no ally in this government.

I ask you to put yourself in the position of someone living in rental accommodation in Ontario today. What are the issues of importance to people living in rental accommodations at this moment in time? From the many years that I've been involved with tenant groups, particularly in my riding of High Park-Swansea and across Metro Toronto, I can tell you that their concerns and expectations are not unreasonable, nor are they all that different from those of people living in privately owned homes.

The primary concerns and expectations of tenants today can be summarized as follows:

They want security of tenure, confident that they can't be thrown out of their homes without cause and due process. They want stable rents free from outlandish and unanticipated increases administered at the whim of capricious landlords. They want to live in buildings that are clean, safe and well maintained. They and their families want security of community, not being terrorized by a tenant neighbour engaged in illegal activity. They want freedom of choice for a place to live and a wide selection of properties to choose from for a place to live so they aren't held hostage in an unsuitable building simply because there are no other acceptable and affordable places available to move to. Finally, they want to be protected by a legislative system of tenant protection that works and that they can trust, along with a dispute resolution mechanism that is accessible, inexpensive, quick, easily understood and not necessarily dependent on the courts and lawyers.

If the honourable member for Algoma could assure me that the system his party left behind was effectively addressing the legitimate needs of tenants, then there would be no requirement for further debate. But, Mr Speaker, you and I and the majority of this House today

know from our tenant constituents that the current system is failing everyone in almost every conceivable way. The litany of horror stories from tenants has become legion.

The government acknowledges that the current system is running on life support and is now in desperate and urgent need of a traumatic and thorough overhaul so that once again tenants can justifiably feel reassured and protected. For that to happen, revised tenant protection legislation needs to reflect the following:

Tenants must have confidence that their rents will not be allowed to go up at an unreasonable rate, and never without justification. It must ensure that rental accommodations are properly maintained to acceptable standards of health and safety. No more should we hear stories of tenants forced to stuff towels in ill-fitting windows to stop drafts of cold air or hear of disintegrating underground parking structures and faulty electrical or plumbing systems, and no more should we hear or tolerate the incessant stories of elevators out of service for days on end. That's the present result of the legislation we have to deal with right now that my Liberal and NDP colleagues want to protect.

For this government and for the tenants of Ontario, it's simply not good enough to argue for the status quo. We need new legislation that will ensure a system that permits the landlord to respond effectively and quickly to complaints lodged by either tenants or the police about bad tenant neighbours.

Currently, the system the honourable member for Algoma praises and wants continued doesn't permit eviction of bad tenants without a protracted and expensive legal struggle. When this happens, everyone loses — tenants, landlords and even the community.

Our changes must create an economic environment that is conducive to the private sector building new rental buildings. The current stock of housing in Toronto today is, on average, 35 years old. Much of it is beginning to show age and many units are finding it increasingly difficult and expensive to meet even minimum safety standards.

These buildings cannot continue to meet the demands of the rental market. New rental stock is urgently needed and we can only get it by stimulating private investment. In the GTA last year, only 20 — I say again, 20 — private rental units were built. Consider the implication. With a growing population and a growing demand for rental accommodation and a provincial economy left wallowing in a sea of red ink created in part by the shortsighted, gold-plated housing policy of the former governments, virtually no new private sector rental units have been constructed for years, and what was constructed years ago is now in the early stages of deterioration.

1600

If we are to offer tenants real hope and help, we need to bring private sector investment back to the rental market. We need the competition that characterized the rental market in the 1960s and early 1970s. Then, competition worked to the advantage of tenants and it can do so again.

Finally, we need a system of tenant protection that is designed for the tenants and not the bureaucrats or

lawyers. We need to collapse the six pieces of incomprehensible, unmanageable and very costly pieces of landlord-tenant legislation into one act that is concise, simple and easily understood by tenants and landlords alike, a tenant protection package which meets the needs of renters and seriously reduces the huge, \$23-million annual administrative cost so that savings can be used to provide shelter allowances for seniors, low-income, fixed-income and handicapped tenants in genuine need and includes commonsense features such as an administrative dispute tribunal which processes tenant applications quickly and at a minimum cost — a tribunal that prevents the need for a trip to the courts for every complaint about a leaky faucet or peeling wallpaper, a tribunal that's accessible, simple and quick with procedures that deal with tenant-landlord disputes quickly and doesn't leave tenants hanging uncertainly through a lengthy process that under the current system can take upwards of five months to resolve. Tenants shouldn't have to spend five months in court just to get their carpets cleaned.

I don't believe my colleague the member for Algoma seriously wants this House to believe that current tenant protection legislation continues to meet the needs of Ontario's tenants.

In recent months I've been shocked and saddened to see a concentrated effort to groundlessly raise the fear of seniors and all tenants concerned about the security and continuing affordability of their rental housing for purely partisan, political purposes, fearmongering of the worst sort.

The system the honourable member for Algoma wants to preserve is broken and must be fixed.

Interjections.

The Acting Speaker (Mr Gilles E. Morin): Order. I'd just like to remind the members that you are not to communicate with people in the gallery, please.

Mr Shea: The minister has stated and restated time and time again, just as the Premier himself stated in this House on Monday, that this government is fully committed to introducing legislation that improves tenant protection, stimulates private sector investment in new rental stock, ensures security of tenure, maintains controls on rents, effects improved building maintenance and peace of mind and puts into place a dispute resolution procedure that is quick, inexpensive, accessible and exceedingly fair to tenants as well as landlords. Within the next month the minister will announce a new tenant protection package that will reassure tenants and stimulate the market.

Accordingly, I cannot support the motion put forward by my colleague from Algoma. It merely opts for the status quo which, as the Premier reminded this House Monday last, is the failed rent control policy particularly of the Liberal Party and to a lesser extent of the NDP. This government is committed to introduce legislation that will be far better for tenants and to end the failed policies of the past 10 years.

I ask members of this House, on behalf of tenants and landlords of Ontario, not to settle for second-best.

Mr Gerard Kennedy (York South): It is my great pleasure to address this House on this issue at this time and perhaps be of small service, particularly to the

honourable members on the government side, due to the recency of my election and some of the contact I've had with electors in York South and people who have to use food banks across this province.

It's extremely important, in the light of the statements by the Minister of Municipal Affairs and Housing and by the Premier that rent controls are in jeopardy, that we'd be debating this essential item in the government's arsenal to provide for people in this province. We're not just talking about rent controls today, we're not just talking about nuances of how tenants are protected; we're talking about basic fairness in this province 12 months after a government was elected talking about common sense and instead has talked over and over again about measures that leave out the people and deal with only the problems the government chooses to see.

In rent control, we have a tremendous risk of the exact thing being repeated. Even though this was the one item that wasn't in the Comic Book Revolution, it is now being brought to bear because this government sees an opportunity to again isolate people and to create division in the province.

The perspective from the standpoint of the people in York South is fear. It's fear not just by people who are vulnerable, but people from all walks of life. That vulnerability is based on measures that this government has done. I've only been in the House two days and I've already learned that there's a pattern. Every time this government is called to account for its actions, it brings up the actions of previous governments. After 12 months it still will not take responsibility for the brand-new climate it has created in this province. Its brand-new climate is of fear and it's of division. It's about tenants versus landlords; it's about homeowners at the expense of tenants.

This kind of division is what was obvious to the people of York South and is why I'm standing here today. But when we look at the quality of life that's represented by rent control, by the essential lack of fairness that is starting to exist in this province, we recognize that part of the object here is for us to lose sight of the important things in this province. What matters in this province when we look at the kind of changes that are taking place, the genuine changes that we have to deal with and this government will not take the time to deal with — the loss of jobs due to the changes in trade and technology, the need for people to feel that they can participate in society. Those things have not even been addressed by this government. Instead they would have us focus on the things that would divide us, and included in that is making tenants feel more and more vulnerable.

When we think of what affordable housing means for people, it's not just people having the ability to stay in their homes — it's not just that — it's about tenants being able to be part of society, to be able to be useful in society. Everybody in this province in almost every community of any size pays the Ontario premium in housing. This government has to recognize that. We have a structural problem that has to be dealt with in terms of the cost of housing, and it's been here since the 1970s. That pattern of response from the government cannot

apply here. Every party has to take some responsibility, but you are the government now, and as the government you have to recognize that affordable housing includes as an absolute cornerstone effective rent control. It's very, very important that the kind of fear that's been raised by the Premier, by the Minister of Housing, has to be addressed by this government, and addressed very soon.

In a fair society, there is a role for government and the role that has to be played when we allow those kinds of structural problems to arise. Many, many people outside this House don't know what this government does and they don't know what good it can be to their daily lives. Five days ago, when they paid their rent, every single one of them said, "Boy, that's a lot of money," but they've become used to it and this government may want to take advantage of that.

We pay rents here that are 40% higher than the averages for all the other metropolitan centres across the country — 40% higher. That applies in many of the smaller centres as well. We have higher costs of rent. We have also had until very recently the highest cost for homes.

Affordable housing doesn't seem to be on this government's agenda and especially when it lines up the threatened rent control for the sake of some big developers that seem to be wanting to have it changed. We have rent control existing in an age of insecurity that is the creation not of previous governments but of this government, and that insecurity has to be dealt with by everyone in this House, because it's about jobs, it's about having a place to live you can afford, and it's about having enough to eat. In this province, newly, never done before — at least in my estimation — is the actual deliberate action of government to create insecurity among people. That insecurity extends to the most vulnerable people in this society.

When it comes to judging the rent control debate, to looking at the measures the government is proposing to bring forward, I think a lot of it will hinge on what I found at the door: "Can we trust this government? Does this government believe in the average person? Will they, post-election, represent everybody in this province or just those people who they believe are on side?" It's going to come down to trust when we look at the matter of the people who are vulnerable.

1610

This government, for the first time in the history of North America, has chosen, when it knew full well the effects, to create additional hardship. I don't believe that was the original intent, but ladies and gentlemen, it is what has happened. There has been a 54% increase in the number of people using food banks in Metropolitan Toronto. The average across the province is over 40%, of families, of individuals who are going hungry, not because of the whims of some global economy, not because something happened in terms of the job market, but because of the actions of this government.

We have to recognize that this age of insecurity that everybody feels, even if you've got jobs, starts from there, starts from what we do for vulnerable people. It hasn't happened in this province for the whole time we've had government trying to act in people's interests.

Tenants do not want their protection put on the table as part of whatever kind of deals this government feels it needs to make. What they need from this government is a gesture in the form of asserting absolutely that rent controls in their present form will be maintained, that there is room in this province for everyone.

The signal that's going out there is that people are being punished, people who have not done anything to deserve it. People who have worked most of their lives, paid taxes most of their lives now feel they live in a changed province. I think this government needs to acknowledge that at its one-year mandate. It needs to understand that people out there are not reacting to what it's doing with confidence. Instead, it needs to be looking at the kinds of problems it's creating.

When we talk about the number of children who are affected, when we look at some 28,000 additional children in the city of Metropolitan Toronto who have to turn to food banks, when we look at the thousands and thousands of children who live in rental accommodation in the major centres and the smaller centres across this province, think about what it means, that you have a full-time industry here of food banks. The food bank in Toronto is bigger than the food bank in Detroit, and it's bigger because we've made it so; we've made it necessary to be able to provide edible rent supplements for people who have to pay too much for rent.

I will say here today that this was not a problem invented by the Conservative government, but this is the first government I'm aware of anywhere that has gone out of its way to exacerbate that problem, and it's related directly to the reason why rent control must stay in place.

We have to have something that addresses the overall climate this government has created. They've taken away subsidized housing; they've taken away public housing; they've created a whole sense that people will have nowhere to turn. What is very, very important for this government to understand is that when it creates those measures, they affect everyone; they don't just affect a few.

That may be disappointing to the people who are calculating strategy in the Premier's office, but it matters to everybody how well they're able to get along with other people in society, how they feel in case they lose their job, about which you on the government side have increased exponentially people's concern, and it finally matters because we need a society that works. I put myself forward to come into this Legislature because I think that we're on the precipice of getting a society that doesn't work, that we're losing our chances to be not just a harmonious society but a productive society.

I would implore the members of the other side, with their majority, to take a look at what they're doing to this province and to look at rent controls as one way they can start to show the people of this province that they indeed are prepared to govern for everyone.

At the food bank, only 4% of the people have been evicted so far, but another 18% are facing evictions. We have a very fragile situation out there in the housing market. I've heard a lot of things from the government side, but nothing I've heard leads me to believe that this government knows what to do in terms of improving the protection for tenants.

When we look at what can only be termed the Comic Book Revolution, those 25 pages, it becomes very apparent this is part of a pattern where the government doesn't have its plans. You are the government now; you have a chance to do better. We would implore you, on your one-year anniversary, to change the way you're operating, because right now 40% of the people affected by the cuts in welfare are using late rent payments as a way to get by. The number of people who could be evicted, the number of people who could be homeless, that's where the real issue is, to try to deal with the problems people are experiencing.

We on the Liberal side don't advocate the government controlling the marketplace; we advocate instead the government acting responsibly when it needs to act. Successive governments in this province have recognized that need to act as a buffer between tenants and landlords, and indeed, if you look at the interests in terms of the taxing of different types of accommodation, between the interests of tenants and homeowners. There has to be firm legislation.

Even more important right now, in this age of uncertainty that has been created in the first 12 months of the Harris government, is that we have some markers people can hang on to and that we're not turning everything in their lives upside down, because that's what's happening as you threaten rent control. That's why 1,200 people were at city hall in Toronto; that's why thousands and thousands more people will be turning out for meetings — not because of anything this side of the House is saying, but because your government has put that fear into their daily lives.

People recognized when they paid their rent five days ago that they were paying too much. That's the issue for this government to take on. When this government talks about shelter subsidies, there's already \$2.5 billion being spent in shelter subsidies throughout the welfare system. It's not helping; it's not the way to go. We're propping up a system that isn't going to be improved by increasing it. You can't do the targeting. Only some kind of bureaucratic conceit would say that you could target the people in need, because this is not just about the people who are scraping to get by; this is about everyone. This is a quality-of-life issue for all the people who are tenants and, by implication, their neighbours who are homeowners.

What we have to do with the rent control legislation is maintain it — that's absolutely the position from this side of the House — but we also have to strengthen it. We have to make sure that we protect against landlord discrimination. Some 25% of the people who moved last year who went to the food bank faced discrimination from landlords either because they didn't earn enough money or because they were on welfare. This has to change. This has to become a focal point for the activities of government to regain some of the confidence of people out there.

When I think of the people in York South whom I met — and I hope this is of interest to the people like Mr Shea, who's in an adjoining riding, Mr Saunderson, Mr Leach and Mr Turnbull, and members anywhere in the province who have a high percentage of tenants — there

is a fear there that is for real. It's not a fear that was put upon them by anything but the actions of this government. What I would like to do as my small service to the government side is to let you know that average people out there are talking about you. They're talking about you in ways that — they don't know if they can trust you. They're now worried about what happens to their education; they're worried about what happens when they walk into that hospital emergency room; and very soon tenants are going to start to feel the effects of your legislation here.

We're talking about the very basics of life for people here in Ontario. These are not esoteric things limited to this Legislature. Because it's important to do so, I want to leave you with a warning that you will not be able to change rent controls to reduce the quality of life in this province the way you did so easily for people on welfare. Instead, there are thousands and thousands of people, not only those who are living in apartments, who want to see fairness brought back into this province.

If this government would like to earn the respect of the people I met on the doorsteps in York South and the hundreds of others who called from other parts of Toronto and the people I worked with at the food bank, the people whose responsibility you're charged with when you start making these moves, and when we start to forget about the people who put you in those seats — there are a lot of seats on the other side and that's a majority, but that happened 12 months ago. With the age of insecurity that's out there, it's extremely important that the basic principles put forward by the Coalition to Save Tenants' Rights be preserved in this rent control legislation and that we be working, because it's in the public interest, to improve the kind of protections we have in place to protect tenants.

Finally, when we look at the words of the government — the honourable member was saying we had gold-plated legislation and then described some of the problems that people are experiencing. We don't have gold-plated legislation, but we have a promise now from the Premier, made during the York South election campaign, that rent controls will continue. We have another promise made to bring tenants lower rents. I can guarantee you that the members on this side of the House will hold you to those promises.

Interruption.

The Acting Speaker: I remind people in the gallery that you're not to applaud.

1620

Ms Marilyn Churley (Riverdale): I just have a few minutes to speak so some of my colleagues in the NDP can speak to this very important issue. As you know, it was our government which brought in the strongest tenant protection legislation in Canada. When I hear members like the member for High Park-Swansea say — and I've heard the Minister of Housing himself say this. They stand up and say: "We're going to fix it. We're going to make it better for tenants." They say it's the opposition and others, I presume people like Howard Tessler from the Metro Tenants' Associations and Kay Gardner, who is a city councillor, people who really care about tenants' rights. I presume they're talking about those people who

are out unnecessarily scaring tenants, when really what they're going to do is fix it.

I'm going to concentrate my remarks today on who really is scaring people out there. Guess what? It's the minister himself. It's the minister who's already made comments which have scared the tenants in this province. I'm going to read to you, and I would listen carefully if I were you, some comments from a Globe and Mail article written by Gay Abbate. "The loudest applause at the annual meeting of the Fair Rental Policy Organization came when Mr Leach said he is going to amend the Landlord and Tenant Act — 'One of the most unbalanced pieces of legislation I've ever seen' — to make it easier for landlords to evict tenants."

A little later: "His speech was exactly what the several hundred members representing landlords, managers and investors in rental accommodation came to hear. 'My government is here to help you,' Mr Leach began, and went on to promise that his ministry will stop interfering in their business and let the private sector do what it does best, balance supply and demand."

Later on: "He said his government will ditch rent control because, 'It's bad for landlords and it's bad for tenants.' He said nobody is erecting rental apartment buildings and the current stock is so old"...blah, blah, blah. Later on, "In an interview after the meeting, Mr Leach defended his plan to shift responsibility for policing rents on to tenants. 'If we're going to provide incentives for the building industry to build new stock, we have to give them something,' he said."

Later again: "Throughout his speech, Mr Leach said it is important to create a level playing field for both landlords and tenants. While rent control has protected tenants, he said, landlords have faced problems borrowing money to recoup their actual capital costs."

There's another article by David Lewis Stein, who says Al Leach brought a package to cabinet that even found favour with Bill Saunderson, but "Harris himself," so Mr Stein was told, "has ordered Leach to bring back a tougher package in June." Mr Stein goes on to say: "Meanwhile, the government is looking at ways to make it easier for landlords to raise rents and evict tenants. And if what I'm hearing is correct, it is also looking at ways to make it easier for landlords to convert rental apartments to condominiums."

I have several other quotes. I'm not going to read them now. It is the Minister of Housing himself who is scaring the tenants of this province. The tenants of this province fought hard for 20 years and they were still fighting hard when we came into government. Dave Cooke, who was the minister at the time, consulted widely. We came up with a package that really protected tenants in this province and they want to keep that tenant protection.

I say to the government members that they're being hoodwinked by this government if they believe the minister can actually bring in a so-called balanced package that will protect tenants better than they're protected now and at the same time give all the goodies to the landlords they made so happy at this landlord meeting I talked about.

It is absolutely impossible to do. It is a sham, and the tenants know that; they have been through it. I've been

a tenant. I'm sure several other people — there are tenants in the galleries today. They are terrified and this government is not listening. I personally am fed up with it. I am really fed up with it, because people are out of work and this government is doing nothing. They cut welfare recipients. Landlords lost money as a result of that. People are getting kicked out of their apartments and he's going to make it easier.

This government has gotten rid of all forms of social housing, affordable housing. They are making a made-in-Ontario, Mike Harris housing crisis, and I am scared, because we have seen housing crises before. I tell you, as some of you are smiling, and I've said it here before, we're going to see a housing crisis in this province that we have never seen before, and it's going to be on your heads. I suggest to you, as you get up and talk about how much you care about people and that this package is going to be better for tenants, that you tell tenants what you mean by that now. You've had many opportunities to do that instead of playing these silly games you play with people all the time.

Howard Tessler presented, at a meeting I attended with Kay Gardner and hundreds of tenants, what he called a true tenant protection package. In the House I handed it over to the minister and said: "If you truly believe and mean what you say and you want to stop scaring tenants, there are certain conditions that they need to know will be in this package. Will you sign this document?" He said that no, he would not sign it.

Some of the elements of that package would be:

That any new tenant protection package will include a cap on maximum rents.

That vacant apartment units would be covered. Vacant unit decontrol will spell the end of rent control after a few short years.

That rental housing stock will continue to be protected. The removal of limits on conversion, on demolition will decimate an already scarce housing supply.

That any rent increases will be linked to the ongoing maintenance of the building and that any increase due will be denied if there are outstanding work orders against their building.

If the government and the minister want tenants to relax and stop being scared, he should come forward today and tell them that this will be included in his new tenant package.

Mr Steve Gilchrist (Scarborough East): I am pleased to speak today on an issue that's very long on rhetoric and short on facts, an issue that is emotionally charged, but in light of the fact that our government has not yet presented a bill, I think the resolution is somewhat Don Quixotic. You're tilting at windmills that don't exist here today.

During the election it was a major topic in my riding, and in my neighbour Dan Newman's riding next door, 49% of the households are rental households. I believe Dan Newman and my colleagues and I took our responsibility to those voters just as seriously as we did to anyone else in the riding.

To the member opposite, I am a tenant myself and I think it's somewhat sanctimonious to suggest that the issues of tenancy are somehow known only to members

on the other side. I am quite aware of the perspective of tenants.

Before dealing with the specifics of the resolution — *Interjection.*

The Acting Speaker: Order. The member for Riverdale, you had your chance.

Mr Gilchrist: Thank you, Mr Speaker. I will resume.

Perhaps before dealing with the specifics of the resolution, it would be appropriate to start off with a quote. The members opposite have been fulsome with their quotes. This quote comes from Mr John Sewell, not exactly the embodiment of Conservative thought — a paragon of the left wing:

"Many people assume that rent control is there to protect the lower-income tenants in the units that they rent. In fact, it's upper-income tenants who get most of the benefits. They say the upper one third of the tenants get two thirds of the dollar benefits of rent control and in fact the benefits don't flow to the people who are at the bottom end of the slate when it comes to rent." I must say I agree with Mr Sewell, perhaps for the first time ever.

For anyone who doesn't believe John Sewell is an articulate spokesman for that sort of issue, a few examples of exactly the sort of rent increases that have occurred under so-called rent control might shed some light on why we are keen to bring about long-overdue changes. The Golden Elms apartment in Rexdale, 94 units, under the previous government had an order allowing a one-time increase of 33.7%; 221 Balliol in downtown Toronto, 481 units, had increases year after year of 10%, 6%, 17% and 18%, hardly in keeping with inflation. And it's not a Toronto-centric problem: 1001 Ambleside Drive in Ottawa, 254 units, saw a 37% increase, but the landlord appealed and the hearing board revised it to a 52.8% increase order — absolutely shameful.

1630

The current system doesn't work. Landlords and tenants both agree on that matter. They have both come to my office, and I'm sure to the office of every member in this House. We have consulted extensively with landlords and tenants and what we have heard — and I would invite the members opposite to go to buildings such as 225 Morningside in my riding, where the balconies are falling off the building, and to go to any number of apartment buildings in that riding and see the deterioration that has occurred because landlords don't have the ability to make reinvestment. At the same time, you'll hear landlords come forward with stories about how much money they're losing from tenants who know how to play the system. I have sympathies on both sides, and the bottom line is that the entire system is broken and must have a major overhaul.

We've consulted with the landlords and tenants and we want a system and they want a system that's going to do four things: We're going to protect tenants from unfair rent increases and arbitrary evictions; we're going to improve apartment maintenance and make sure we're tough on landlords who don't take care of their buildings; we're going to produce a climate where people will invest in rental real estate; and we're going to streamline administration and cut red tape.

Of course we've already done a number of things in the short term our government has been in power. We have eliminated many of the planning barriers. We have announced we're moving forward on major property tax reform; not years from now, but six weeks from now we'll have a definitive answer, and this will have a major impact on rents because the landlords right now are paying a disproportionate amount of the property tax load across this province.

The current system is flawed. It takes an average of 130 days to complete an application under the current system — 130 days. Talk about red tape. The previous government's system isn't working. The building stock is crumbling and nobody's building new buildings. In all of Metro Toronto last year, despite the fact that we had a population increase of close to 100,000 people, 25 rental units were built. How anyone can sit on the other side and defend the status quo when clearly nobody is making an investment — where do you expect those 100,000 people to live? On the street? We believe that if we can reform the system, landlords who can earn a fair return — not an excessive return, just something better than putting their money into bonds — will make the investment back in the rental accommodation in this province.

The cost of administering the rent control system right now is another concern to all taxpayers in this province. It currently stands at \$23 million to overview a system that by definition is not working.

Where are we going? I think that's the operative thing, and I'd like to touch on that very briefly. The Canadian Federation of Independent Business did a survey and one of the questions they posed was, "Should the Ontario government replace rent controls with a tenant-initiated dispute system?" The background of the question is that in Quebec and in British Columbia there are systems in place that protect tenants as long as they own an apartment. As long as you stay in your apartment, similar rent controls to what we have today would apply to prevent excessive gouging by landlords. On the other hand, when apartments are vacated, then market forces are allowed to determine their appropriate rent in that marketplace.

So the best protection, we believe, for the tenants is a healthy supply of rental housing, apartments competing with each other and keeping rents affordable. In Vancouver, with a hotter market than Toronto has seen in the last 10 years, without the kind of rent control burden we face, average rents have increased 3% less than they have in Metro Toronto. It's time we let the private sector do what they do best: balance the supply and demand of this product, no different than any other. We are considering a wide range of options, and the Quebec and British Columbia systems are certainly two of the options we're exploring.

The bottom line is, when we come forward this spring, this month, with a package of proposals, it will do all those things I mentioned earlier. It will give greater housing choices through increased supply. It will give protection from unfair rental increases. It will give the guarantee to tenants of improved maintenance and safety in their buildings, and it will ensure government support through shelter subsidies for those most in need.

Mr Alvin Curling (Scarborough North): What are we talking about?

Mr Gilchrist: I find it exceedingly interesting that even the member for Scarborough North during the estimates process admitted that the current system doesn't work. In the Liberal red book, the Liberals promised to place an immediate moratorium on non-profit housing allocations and to review the effectiveness and management of the rent control program.

Mr Garry J. Guzzo (Ottawa-Rideau): That was last year, though.

Mr Gilchrist: Surely the fact that it's only one year later hasn't changed their mind. Surely the member for Scarborough North remembers what he said in estimates and still believes in those things today. I'm sure he will then see fit to oppose this resolution, because this is calling for maintenance of the status quo; and the status quo, the member opposite correctly pointed out, is not working.

Mr Mike Colle (Oakwood): What did you say during the election?

Mr Gilchrist: During the election? I was very front and centre in my riding, that we needed to reform the system.

Interjections.

The Deputy Speaker (Mr Bert Johnson): Order. This is an organized time for proper debate. If some members feel they would like to shout across the floor and so on, I would ask them to voluntarily remove themselves from the House so I would be relieved from enforcing the rules.

Mr Gilchrist: I'm sure the member for Oakwood knows the old maxim that you don't learn anything while you're talking, so I hope he'll listen to these last few comments I have to make.

The Deputy Speaker: I would further ask that those in debate would address their remarks through the Chair so we don't get into banter across the floor.

Mr Gilchrist: Certainly, Mr Speaker, and that was what I thought I was doing in entreating him, through you, to pay close attention.

The last comment I'd like to make is that not one, not two, but all three of the newspapers here in Toronto have come out strongly in support of the government's position.

The Globe and Mail said: "Rent control has been a dismal failure. It should be ended. Rent control is the most significant factor contributing to Toronto's uncomfortably tight rental market."

The Toronto Sun said: "It hasn't worked. All the dire predictions have come true that Ontario would suffer the same problems that have resulted from rent control all over the world. The horror stories are no longer about gouging landlords but about the toll on landlords. Many of them have abandoned the field because it's easier and more profitable just keeping their investment in bonds. What we have to figure out is not how to end rent control but when it should end."

The other two you could expect to take positions sympathetic to the government because they tend to be more commonsense in their outlook, but you certainly wouldn't expect the Toronto Star to come out front and centre in support of the government on this issue.

"The Ministry of Municipal Affairs and Housing has before it a report from Greg Lambert recommending that Ontario adopt British Columbia's system of rent controls. Unlike the heavy regulatory regime now in place in Ontario, the system in BC is streamlined. Sitting tenants still may take their landlords to an arbitrator if their rents are increased exorbitantly, but vacant apartments remain completely decontrolled. Tenants have some assurance that they will not be forced out of their home by double-digit rent increases." They end by saying: "Rental housing is now in a vacuum and nothing is growing in it. The sooner the government acts to fill that vacuum, the better." I couldn't agree more.

In closing, we're committed to tenant protection, particularly for lower-income tenants, not through increased bureaucracy, not through more red tape, not through state intervention, but by allowing the market to determine supply and demand, by celebrating the free market and allowing the landlords to make an investment and provide top-quality accommodations to the people of this province. I will not be supporting this resolution accordingly, and I would encourage all members opposite that when our government in the next few weeks brings forward specific legislation, at that time it would be quite appropriate to level whatever constructive criticisms they may wish to offer to the government.

Mrs Margaret Marland (Mississauga South): On a point of order, Mr Speaker: This afternoon — and you have just taken over the chair — the government members have not interjected with the speakers of the two parties opposite. The last speaker had interjections from both of those parties. I have been here the whole time. I ask you to please rule on that.

The Deputy Speaker: That is not a point of order. Further debate from the member for Oriole.

1640

Mrs Elinor Caplan (Oroville): This is indeed a passionate debate and I will be supporting the motion that is before the House.

Certainly, the one thing that people across the province are beginning to understand is that they simply cannot trust Mike Harris and the Tories. When I listen to what the members opposite are saying, I'm hearkening back to one year ago on the campaign trail when the Conservative candidate in my riding unequivocally wooed tenants with promises that Mike Harris and a Conservative government would not scrap rent control. That was a promise that was clear. It went out in brochures, not only in the riding of Oroville but right across the province.

When I hear members opposite stand and say that during the election campaign they were very clear that they did not support rent control, that in fact they supported other methods such as shelter allowances, I can tell you that it was very clear in the riding of Oroville, it was very, very clear in the promises of Paul Sutherland, it was very, very clear that he was speaking on behalf of Mike Harris and the Conservative Party and he was saying very clearly that you would not scrap rent control. That's why my constituents in the riding of Oroville frankly were horrified when Al Leach, Minister of Housing, stood up and said, "We are going to scrap rent control." The phones rang off the hook in my constitu-

ency office when the headlines said the Tories did not believe in rent control, that their promises had never been to protect —

Interjections.

Mrs Caplan: Let me tell you something. People are realizing that they have every right to fear. They have a right to fear because they don't know what your promises meant, since they are hearing something very different today than what they heard just a few short months ago when you wanted their votes, and that makes them very cynical and very angry.

Over the years that I have been in this House I have stood in my place and I have said that in the riding of Oroville some 48% of the population are renters, are tenants. Most of those people, I would say, consider themselves good citizens and want to be good tenants. They want value for their money; they want a clean and decent place to live. They realize that the existing protections that tenants have have their positives and their negatives and that it is very difficult to find the perfect system to protect everyone.

While I said that most of the tenants in the riding of Oroville consider themselves good tenants, they also know that there are occasionally bad tenants. I know that most landlords want to be good landlords. They want to keep well-maintained buildings. But there are some bad landlords. So I think it is wrong to paint all tenants or all landlords with either white hats or black hats. I believe that when we bring in housing policies, we have to look at the kinds of sensitive policies that will recognize what is in the public interest and what is going to treat people fairly.

I was very proud to be part of a government, under the leadership of then housing minister Alvin Curling, who did something very unique. He brought together landlords and tenants and in fact they worked out a compromise. That compromise was not perfect; it was enshrined in legislation. Notwithstanding the fact that over 80% of the awards as a result of that legislation were either at or below the guideline, there were many that had higher increases than what any of us felt were acceptable, and we were all very concerned about that. We were committed to looking for ways to protect not only against unjustified increases from unscrupulous landlords, but we also wanted to protect people against those unreasonably high increases, and that is something that we have been dedicating ourselves to as part of housing policy and social policy development.

While we look for those solutions, we have to recognize that you rarely find perfection. The existing laws, the existing methods that are in place today, are not perfect either. We all recognize that they can be streamlined and they can be adjusted so that they are more responsive to the needs. That was our commitment during the election. But what we said very clearly and what we say today is that we are committed to tenant protection, we are committed to making sure that people have a clean and decent place to live.

We recognize that the cost of the rental subsidy program, the rent supplement that is referred to by the Conservatives opposite, is frankly unreachable and unmanageable. If the record of the existing \$2.5-billion

rental subsidy program as part of welfare support is any indication of this government's commitment to people in need, then I will tell you, people have every right to fear because what this government did by cutting welfare rates to those people on general welfare assistance by over 20% was to make sure that more of their dollars had to go to rent with less available for food.

Their record of cutting social housing programs, not only placing a moratorium and examining it, as we have said we would do, but actually scrapping not-for-profit housing and co-op housing, has meant that in fact you have a supply problem on the affordable side.

When I hear the member for Scarborough and others talk about increasing supply, let me tell you the reality. The reality is, the only construction you get or will ever get will be at the high end. No one builds affordable housing unless there is some support from the government, whether it is in the form of not-for-profit or co-op housing. That is the reality. The reality is, you will get buildings of condominiums and you will get high-end. So who is going to look after those people who cannot afford high-end and market forces? If you are out of social housing, if you take away tenant protection, if you end rent control, we will continue to see the kind of abandonment of those most in need in our society and the ripping of our social fabric.

People are fearing that they will lose their jobs. They are now fearing that they will lose their homes. They know that under the present NDP policies, much of the maintenance work that was needed has been abandoned. They know that the work has to be done, and they need government support and encouragement to see that the work is done. You cannot totally abandon the whole field without seeing the fabric of society ripped apart.

There is too much fear and there are too many broken promises. Tenants are worried they will lose their homes. When they hear this government talking about the BC example and the BC model and support for that, they know what that means. They know that if they leave their home, if they move from their apartment or their rental unit, they likely will have no place to go, because once you move there is no protection and that erodes the stock of affordable housing.

The example in BC is not a good one for Ontario, simply because the vacancy rates in BC have not been affected in any kind of a positive way. You cannot import solutions from any other jurisdiction and say that they are right for Ontario. What you need to have in Ontario is a solution that is right for Ontario.

I'll tell you something: Tenants would rather see the existing system remain in place, perhaps with some minimum streamlining, rather than losing the protections that they now have. They do not want to see tenant protection eroded. They do not want to see them have the kinds of fears about losing their homes. They do not want to have to wake up in the morning and wonder whether or not there will be dramatic increases in their rents so that they cannot afford to stay where they are.

I'm going to be supporting this motion because, frankly, I don't trust this government. I'm concerned about what their policies are going to be. I want to put them on record today, as the member for a constituency

with a large number of tenants, that you must keep your promise. You promised you would not scrap rent control, and if you attempt to do that, the tenants of this province will remember and they will unite and they will defeat you.

1650

Mr David S. Cooke (Windsor-Riverside): I'll be very brief, but I do want to make a few comments since, when we had the privilege of being in government, I had the privilege of working on this piece of legislation which I am pleased the Liberal Party is supporting today. They didn't support it back then, but enough of that, we won't talk in detail about the Liberal caucus.

Interjections.

Mr Cooke: To be completely accurate, I think maybe the Liberal Party supported it on second reading, opposed it in committee and opposed it on third reading. Then they sent out two sets of speeches, one to the landlords and one to the tenants, and that was basically the approach they had taken. I don't want to dwell on the Liberal Party. They're not —

Interjection.

Mr Cooke: Alvin, I know who the enemy is, but some time, if you're elected, when you put together the legislation, you do have legislation that's a problem. Elinor Caplan can talk about the Liberal legislation, but let's get real. There was case after case after case that was raised in this House where we had 60% and 70% rent increases. We had rallies in this community that were organized by Kay Gardner and others involved in the tenants' movement in Toronto that 500 and 600 seniors were at because they were frightened to death about what the Liberal rent legislation was doing to them. So your legislation and your process are no model.

I think what you went through and what we went through is something the government should study. The fact of the matter is that you cannot ever design rent regulation legislation in this province that both the landlords and the tenants will get up and cheer about, because the interests are totally different. Believe me, we went to more meetings, we brought landlords and tenants together, and there will never be agreement between FRPO, the Fair Rental Policy Organization, or the tenants' organization, because there are totally different interests.

We start in this caucus from the point that in a society like Ontario's there is a basic right to decent, affordable housing, and that government has an obligation to be part of the solution, to make sure that everyone in this province has access to decent, affordable housing.

As I said, there are different interests between landlords and tenants, but we also have made our choice in this party: We support tenants because they need access to decent, affordable housing. If there are sides to be chosen, we've chosen our side. We're on the side of tenants in the New Democratic Party caucus. I say that with no fear at all because on this issue you have to choose sides. There is no doubt about it at all.

I want to make comments on a couple of things that have been said this afternoon by Tories, because they're going into this with such a naïve point of view that it's absolutely silly.

Repairs: I hear the member for Scarborough whatever —

Mr Curling: East.

Mr Cooke: Scarborough East — saying that under the rent control legislation our government brought in, as a result, buildings are deteriorating and repairs can't be made. What is rent? Rent is not just profit for the landlords; rent is to pay expenses and to pay repairs.

In the formula that is currently part of the rent control legislation in this province, it's even gone further, to the point where there was some criticism from some tenants in the province because there was an actual component in the formula that says every year there's 2% that goes to capital. That 2% builds year after year after year, so as part of the rent, after each and every year, there's more built into the monthly rent that goes into repairs and into capital. There is no reason, given the rent structure, for landlords to come forward and say they need more money because they need to replace a roof. Those expenses are built into the rent.

We also went further in the formula. We said, "If there's an extraordinary expense, then you can apply through the system and you can get an additional rent increase," but there's always going to be a cap because tenants in this province deserve some assurance that they're not going to be economically evicted from their apartments in this province. That's what's happened under previous rent review legislation, and we said that one of the fundamental principles in our rent control legislation is that no one is going to be economically evicted from their home. These are not apartments. These are not investment vehicles. These are people's homes, and they deserve to know they're going to be able to stay in those homes. We know that forcing people to move is so difficult on those families. It's emotionally traumatic and it can destroy a family.

I think in a civilized society we owe it to one another to be able to protect those tenants and to say to them: "Yes, you have the ability to stay in your apartment. You know what the rent is and there are not going to be 50% or 60% rent increases as was provided under previous rent review legislation."

I think it's important, and there's no issue that defines more clearly the ideology or approach to government that political parties have than rent control. I have explained to you what our position is: We support access to fair and affordable and decent rental accommodations in this province. But over there they look at this totally in economic terms. They forget that it's also very much a social issue. When I hear the naïve approach that's taken that if we deregulate, the private sector is going to build, or that we can develop a rent control system that will guarantee a return on investment that will be at least what you get on bonds in the province — let's just take an example.

A rental unit costs about \$100,000 to build in this province. You might be able to get it a bit lower and in some cases it might be a bit higher, depending on the land costs, but we'll say \$100,000. We'll say that somebody wants — because I haven't heard the figure that landlords want a 5% return. They want a higher return than that. Just for the sake of it we'll say a 10% return.

That doesn't talk about the payment of the principal; it doesn't talk about things like hydro and property taxes and all of those costs. Right now we're just talking about a return on investment of 10%. That's \$10,000. You're almost at \$1,000 per month rent already without talking about paying the principal, without talking about paying your property taxes and all of those additional costs.

The reality is, the reason the private sector hasn't been building rental accommodation in the province is because the cost of building it and the ability to get a return on that investment make it economically non-viable, not viable to do. They can go and build malls. They can build office towers. They can invest their money in other vehicles that are going to give them a return on investment.

That's why we came to the conclusion, and I would say that even Republicans in the United States have come to the conclusion, that in a modern society, in a civilized society, government has a role to play. Government has a major role to play in the housing market, and that means there has to be government investment in non-profit and co-op housing as part of a housing strategy. So you have to have regulation of rents to make sure those rents remain viable, affordable for people, and you have to have investment in non-profit and co-op housing.

It's bizarre. Here we are in Ontario getting completely out of non-profit and co-op housing, and in the United States even the Republican House of Representatives supports the idea of housing being built by the state, co-op housing for seniors. It's absolutely bizarre that this government's housing policy is more right-wing than the Republican housing policy in the United States. It is not an overstatement of what my colleague from Riverdale said a few minutes ago. With the policy that this government is enunciating on housing, we are heading towards the biggest housing crisis in the history of this province.

It's a political issue, it's an economic issue, but more important than anything, it's a people issue. We cannot allow this to happen. There are too many people living on the streets in a community like Toronto, and in my home community of Windsor there are too many people living on the streets already. There are too many families that break up under the pressures of not being able to afford or find decent, affordable housing.

We owe it to the people we represent. We owe it to one another to have a housing strategy that works. That means the government has to invest, the government has to regulate and we as taxpayers have to pay. We have to pay for one another so we can all have a decent life and our neighbours and our friends can have a decent life. We have to support rent control and a housing policy.

1700

Mrs Marland: Perhaps I'll start where the member from Riverside just left off. He's absolutely right that this government needs a housing strategy that works, to use his own words. We have had five years in this province of proof of a housing strategy that didn't work.

I never thought I would really have the privilege of sitting in this chamber again and hearing somebody go on and on about the advantages of spending taxpayers' money on bricks and mortar when the private sector can do that for us. I never thought, when we look at the

housing strategy of the previous government, where in one year we had identified by the Provincial Auditor \$200 million missing in the Ministry of Housing — even the Provincial Auditor couldn't find it. When he identified that with the then Minister of Housing and that minister's staff, guess what? They couldn't find the missing \$200 million either.

The member for Riverside is perfectly right when he talks about it being an issue of ideology. We heard that time and time again in the last 10 years, those of us who have been in this debate for that long. I would suggest to you that it's a matter of ideology if you're a member of the New Democratic Party and you live in subsidized housing as a member of this House. I recall that in the last government we had three members of the NDP government who lived in subsidized housing. At the same time, we have members of the New Democratic Party who serve on Toronto city council who also think it's okay, when their joint incomes are in excess of \$120,000, that they too live in subsidized housing.

You see, it's a bit like this old hay-rube, I guess, of an example where it's fine for people to preach one message and they practise another. It's very interesting that when we raised in the House that members of the New Democratic Party were living in subsidized housing, they thought that was okay to continue. We just happen to have an absolute difference of opinion on ideology when it comes to the provision of housing. Yes, I think there is a basic right in this province to affordable, decent housing. The only point where we differ, I guess, is at whose expense. I can assure you that the housing policies of this current government will not result in the hundreds and hundreds of examples of scandal, waste and corruption that were in the non-profit housing program in this province under the administration of the previous government — both previous governments.

As a matter of fact, it was a long time before we would use the word "corruption" in this House when we asked the questions about what the latest scandal was in a non-profit housing program in this province, but as the evidence became more clear, finally the previous government realized there were very serious problems and they hired KPMG, for example, in one instance, to do an audit of the Metropolitan Toronto Housing Authority. KPMG, in its report, found blatant examples of corruption and waste — overbilling by suppliers, a questionable bidding process for contractors and rent cheques actually being taken home by staff. There were police charges arising from that investigation. Certainly we had the same thing with Houselink in Toronto.

The sad thing about those two examples was that they were public non-profit housing. When we get into the private non-profit housing, we have even worse examples. This is the solution the previous government believed in for the provision of affordable housing.

Our government believes in protecting tenants. We do not believe, as the previous governments did, that tenants have to be limited in their choice about where they can live. There are lots of tenants who wish to live near their work. They may wish to live near their day care, their relatives or their friends. They may want to have a choice of the type of building they live in. They don't want to

live in a building with a big label on it that says "government housing." That's not what the tenants of this province want to live in and that's not the kind of building and accommodation we wish to subject the tenants of this province to.

Also, we are concerned about what the physical plant environment is like for people who need or choose to rent their accommodation. We are concerned if someone doesn't have a choice and has to stay in a building that is deteriorating, where the landscaping isn't kept up, where their carpets aren't cleaned, their walls aren't painted and so forth, where their kitchen appliances aren't replaced when they should be. We are not happy when that kind of situation happens, but without a fair balance between the investor in that building and the needs of that building being met by that investor through the income from rents, there will never be a solution. Those tenants will be doomed to living in deteriorating buildings with deteriorating environments. Our protection of tenants is far more real than either of the previous governments has ever considered.

It was interesting to hear a moment ago the member for Oriole refer to shelter allowances with some disdain, as she referred to the campaign of a year ago. If I had more time, and unfortunately we have only 10 minutes each in this debate this afternoon, I could read to her quote upon quote where the leader of the Liberal opposition, Lyn McLeod, is talking about what they would consider as a solution to the affordable housing crisis in this province. Time and time again, curiously enough, the leader, Lyn McLeod, was talking about shelter allowances.

Because of the constraint of time, I will complete my remarks at this point with some regret because you feel very challenged when you get up to remind the members of the two previous governments exactly what it was that some of those who were re-elected, who are still in this House, said over the last 10 years and what exactly their policies and their legislation did for the people of this province. It did not protect tenants from huge, enormous rent increases. That's what we're talking about. This government does believe in the protection of tenants in this province today.

1710

Mr Curling: What a privilege it is to speak on this opposition day motion. I wonder if the Conservative Party has even read the resolution, I'm almost forced to ask, after the comments of the member for Mississauga South. Also, while this Conservative Party says it will listen to tenants and will listen to concerns about rent control, I wish the minister himself had been able to be here to listen to some of the concerns that have been expressed today.

I want to tell you right up front that I am in strong support of this resolution put forward here today and will be supporting it with my full strength, and all my colleagues here will also be supporting it today.

I also want to commend my colleague from York South, who spoke so well and addressed the issue so directly of the concerns we are facing today in regard to this attack the government is making on tenants and rent control.

I want to state at the beginning that government has a role in housing. I keep having to remind the Minister of Housing that there is a role for government, especially for us to have affordable and decent housing. We don't have to be much concerned about those on the top end of the market; they have enough money to buy the adequate housing they need. But those on the bottom end need good laws and a government sensitive to those kinds of concerns. I have come to realize this year that this government is extremely insensitive to those most in need of that kind of protection.

Government has that role. I want to deal with the difference between us and the NDP and the Conservatives. The NDP told you they're there to protect tenants, and that's it. This government is there just to protect landlords, and that's it. The Liberal Party is concerned about protecting tenants, of course, very strongly, and also to make sure the landlords have a fair return on their investment and to make sure we represent all people.

But today, the debate is about protecting tenants in the role of rent control, and that is why I support that very strongly, that we have decent and affordable housing.

My colleagues in the NDP asked me to say why it is that the last time I did not support their legislation. When we looked at it very seriously, I thought they would have struck that balance. Yes, they had some very good legislation there for the tenants, and I commend them for that and I go along with that. But I want them to see that we are in an environment where landlords also play a good role and we want that balance. So I have no apologies at all that I did not support it in its entirety, but I want to commend them for going ahead and making some very good protection in regard to tenants.

That's why we want to tell the government today, take your hands off rent control. You have nothing to put in its place, so leave it alone. The government seems to be spinning its wheels, has no packages, no policies in regard to rent control. The fact is, when they came in, your minister said, "Now you have a friend," and he told the landlords and the home builders, "Now you have a true friend who will defend your cause" and actually tell the tenants that those days are over.

Surprisingly enough, you recall that when the mayor, Barbara Hall, and Councillor Kay Gardner and the rest of the councillors at the city of Toronto organized an event of thousands of tenants who were concerned about their accommodation, they started to beat a retreat. You'd be surprised how the words change. Minister Al Leach immediately started saying, "There will be some protection and we won't change it until we have something in place." We thought he had a policy; he had none. When Kay Gardner again organized an event the other day at Forest Hill — and I saw the representative there — they beat another retreat. They said, "We won't touch it unless we have something in place."

I'm saying to you, leave rent control alone; bring the policy out so we can have a good look at it. But do you know what they intend to do, Mr Speaker? You said to speak directly to you, and I hope you pass the word on to the minister and the rest. We understand that they intend to bring out a package at a time when the House is not sitting, so intelligent discussion and debate will not take place.

I've written a letter to Mr Leach and I want to read it to you.

The Deputy Speaker: Can you read the letter in such a way that you aren't making a demonstration with the sign?

Mr Curling: My demonstration, Mr Speaker, is to tell the minister and to tell the Tory government what it's all about, and I will of course conduct myself in the most parliamentary way that is allowable in this House. I want you to listen carefully, Mr Speaker. It was a letter I wrote, an open letter, as a matter of fact, to the minister, recalling that on May 16 there was a private member's resolution which was debated here and which was passed unanimously to tell the government —

The Deputy Speaker: I'm a very patient man in most cases, but on the back of your letter you were exposing something that is quite unparliamentary, and I would ask you either to refrain from reading the letter or else doing it in such a way that it doesn't become a demonstration according to the —

Mr Curling: I'm so sorry, Mr Speaker, that "Rent control will continue" was written on the back of the letter. My golly, let me cover it now. It's all about that rent control will continue in this province. Is there anything on the back here? No, Mr Speaker. As I proceed to tell you about —

Mr Cooke: You don't have to cover it. What the hell do you think this place is?

Ms Frances Lankin (Beaches-Woodbine): Speaker, that's way over the line. It's not a demonstration.

Mr Curling: It's okay. The point is made, Mr Speaker, that tenants are listening, people are listening and they're telling this government to take their hands off rent control, and we will fight for that. We will tell the tenants to organize themselves to make sure this government, tampering with people's accommodation, which should be decent and affordable, and trying to put it into the hands of the marketplace — we know who they are, whether or not there's a demonstration by me here, but to tell them to take their hands off rent control because it is their home. It is their home.

When you say the private sector in its own way will look after those people and that it's rent control that is causing all this, we know that's not true, not true one bit. If we take rent control off and even tell them, "We will build," will they build at the bottom end of the market where people are putting 50%, 60% of their income into rent? Will they build for the people that this government has taken 21.6% from, the welfare people who are finding it hard to find a decent and affordable place? Will they build for the non-profit housing that this government has cancelled completely? When I asked those people, they said they would not build at that bottom end of the market.

So I will demonstrate here, I will demonstrate outside. We'll organize all the tenants outside to tell them to take their hands off rent control, because it is very important, extremely important that people are not threatened. It is not this party or the NDP that has threatened these people and driven the living fear into people. It is not these people who have told them, "We'll make eviction much easier," to throw tenants out, to drive the fear into those senior citizens who are feeling vulnerable. It is not this

party or the NDP that is going around telling people that other councillors are living in non-profit housing, who are paying market rent, and that's what it's all about.

It tells me they don't understand the concept of what non-profit housing is all about: a community where we all can live together whether our income is \$20,000 a year or \$100,000 a year; that we build a community, not a situation where profit is the greatest motivation and the only motivation that government is interested in. That's all they're interested in: profit. They hope the trickle-down theory — that with what is left over they will build for the rest. It will not happen.

Mr Minister, I'm so glad you've arrived to hear a part of it, and I hope you read that aspect of what has been presented here.

1720

Bankruptcy is at one of the highest rates in the last six years. Layoffs in the government sector, which they call downsizing in the private sector, have been the largest in the last five or six years. People are out of jobs, people are fighting to pay for their accommodation and this government has driven the living fear into those people when it said, "We'll make the market deal with that."

It is sad to know that this government has taken this approach with its Big Brother attitude, "We will look after you," and then leaves them to the wolves. I was reading this letter, the back of which you are concerned about, Mr Speaker, so I'll cover it immediately, since you are so concerned about it. What I was reading is not a demonstration, and I want to bring this to your point. It is part of an attachment that this government, the Conservative Party, has sent around. They sent around this notice, "Rent control will continue," so I wasn't demonstrating. I will tell you what they said. "Tenants' protection will be improved under the Mike Harris government. Rents will be cheaper and less." It was not I demonstrating, it was they.

In my letter to the minister I stated, "I understand your new housing policy package is expected in the next few weeks and I trust it will reflect the results of the resolution that will not abolish tenants' rights in favour of a tenants-initiated conflict resolution system between tenants and landlords. It is unfortunate that your housing policy package announcement is planned on the eve of the summer adjournment of the Legislature, leaving little opportunity for members to comment on your proposal before the recess." We know that is your strategy. Bring into the House the package that you have so we can debate it properly.

On a brighter note I wrote, "I was encouraged by the Progressive Conservative candidate rent control flyer distributed during the York South by-election campaign and I have attached a copy of their flyer." So it wasn't a demonstration. "I look forward to your government living up to its commitment to continue rent control and ensure that tenants will not be subject to unfair rent increases."

I encourage you to bring forward that package so that we can debate it, but if tenants' protection is eroded in any way at all, my party will be right across this province — because it doesn't only affect people in Toronto; it affects people in Windsor, in Ottawa, where they have a concentrated tenant population — and we will tell them to be organized in every way they can. In the limited

time we have before you bring in the package we will raise this over and over in the House: "Take your hands off the rent control that we have now. If you can bring forward anything better" — and we don't trust you. The people out there don't trust you. They don't trust this government one iota. They don't trust them because they don't —

Mr David Turnbull (York Mills): I guess they didn't trust you in the last election, did they?

Mr Curling: You don't come forward in an honest way of debate or in an honest way of consultation. You know the type of demonstration we have to do and the points we have to make, especially with Bill 26, when this government was ramming through large legislation without any consultation.

Why should we trust you when the tenants are in your hands and you say you will protect them and talk about the marketplace? How can we trust you when we find that the Minister of Housing said he wants to be out of this business? How can we trust this government when it wants to hand it over to the private sector, which is not at all interested in building any affordable housing at the lower end?

The people gave you their trust a year ago, hoping you would defend their rights and their privilege. You have destroyed that in government, and the people will speak loudly: "Take your hands off rent control. Leave it as it is unless you can bring something better." Don't talk here about Vancouver's policy, British Columbia's policy. Don't tell me about shelter allowances, because you know you don't have the kind of money to give the shelter allowance support that is needed. Right now the policy is working — not perfect — and I will be supporting this resolution this opposition day and voting in favour of that.

Mr Rosario Marchese (Fort York): I'm very happy to have a few moments to support the resolution introduced by the member for Algoma.

I want to say that this is a fight between the tenants and the landlords. It's an us-and-them fight. What we have on the other side is the landlords and the protection of their rights and privileges, and what we have on the other side is a struggle to protect the rights and privileges of the private sector. We also have on the "them" side the government that is there to basically protect the privileges of the landlord and to protect the privileges of the private sector. They're shortly about to legalize those basic economic privileges of the very wealthy. That's what they're doing.

Rent control was introduced to basically protect the tenant. The Rent Control Act said that no increase in the legal rent could be more than 3% above inflation, and if an increase above the guideline is to be given, it is to be given only when the landlord can prove the necessary capital expenditures or extraordinary operating costs. But the basic controls were there to protect particularly 25% of the tenants living on social assistance and those who are earning a living just above the kind of economic incomes those people were making.

Those basic protections that we had are about to disappear. Security of home, which is for us and for most humans a basic human right, is being threatened and is about to disappear. The government, we argue, has a

fiduciary role to protect those who are most vulnerable. The right to a house and the right to a home, the right to basic security, is in my view about to disappear. We need to be vigilant and we need to protect those basic rights.

We as a government were building co-ops and non-profit housing because we knew and we know still that there is a need, because people are not wealthy, because people are basically trying to earn a living on part-time wages and it makes it very difficult for them to find a home they can afford. That's why we as a government stepped in, because we were building communities, communities that included a range of incomes, a range of different communities, and that included people with disabilities in those communities and included as well people with HIV. That's building communities. That's what we were doing. This government is tearing that away. The government offers shelter allowances. How much are those allowances going to be? Are they going to tell the person with the disability: "Here are a few bucks; now go find it somewhere. We hope you will find it"? That's what this government is offering. We don't think that's good enough.

The agenda of this government is to put support behind the landlord and it's to put support behind the private sector that will, I argue, as others have argued here today, not build affordable, decent communities because they are not going to make any money. That's why they're not building; that's why they're building condominiums. Unless this government is willing to subsidize them heavily to build that type of housing, they will not build.

So those basic protections of the people we are trying to protect are about to disappear, and all I can do, as I leave my remarks to make room for our critic from Cochrane South, is to say to the tenants: You need to organize. It's not fearmongering at all. We have a housing crisis and it's going to get worse. If you don't organize, the basic security that you've had, security of home, is going to become something very, very volatile. So I urge those who are listening to organize against this government.

1730

Mr Klees: I'm pleased to rise to speak to this resolution. By way of introduction, I'd like to just say that I don't totally disagree with some of the things that are contained in this resolution. It may surprise some members of the House.

Specifically, the resolution speaks to the fact that "tenants deserve rents that are predictable and fair." I can agree with that. I don't think there's anyone in this government who would take exception to that. It also makes reference to the fact that there is a need for the rental accommodations to be properly maintained. Those are the objectives of this government.

I'd like to address some comments that were made previously by the member for Fort York. He unfortunately characterized this as a debate between us and them, as about tenants against landlords. It's highly unfortunate that this is what has developed over the last number of years in this province, largely due to the kind of legislation that was introduced by the previous government, largely perpetuated by the rhetoric in the House this afternoon.

What we're suggesting is that we need to take a step beyond where the previous government has been. We

need to take a step beyond and not only talk about balance but actually bring in, have the courage to bring in legislation that will finally address the issue of balance between the requirements of tenants and the landlord, and bring in fairness. "Fairness" is a word that's been missing from this debate for a number of years, and this government is finally going to have the courage to bring in legislation that will do that.

I'd like to suggest that beyond the element of ensuring that there is adequate protection for tenants, which we will guarantee, the next very critical element in this debate is that tenants should have choice. That is something that's been missing from this province for a number of years, as is characterized by the 0.8% vacancy rate in the city of Toronto.

As many other members have quoted this afternoon from other publications, I couldn't allow the Toronto Sun not to have equal opportunity here. I'd like to take a minute and quote from an article that appeared in the Toronto Sun under the money editor's column. It said, "Of the thousands and thousands surveyed on the waiting list to get into Metro housing, only 213 were willing to move to Regent Park."

What is that saying? It's saying that there are thousands of people on the waiting list to get into affordable housing in this province and in this city, but there isn't enough choice available to tenants, to people who need affordable housing, and that's why we have a problem.

I'd like to take a minute and talk about — perhaps it's timely to discuss in this context — the theory of economics that members opposite have missed over the years. It's fundamental. Let's talk about Economics 101 here.

Principle number 1 is that if you have a product that is in high demand and there's a shortage of that product, the price increases; pretty fundamental.

Interjections.

Mr Klees: Listen up; you may learn something here. Principle number 2: If the price for a product is below the cost of producing that product, no one will buy it and no one will produce it. Let me make that application to this issue for you. It's very similar to you buying your Cadillac and getting a warranty with it that says you're limited to spending \$100 a year in maintenance on that product, on that car. If that's the most you can spend on maintaining that car and the bill comes in for \$2,000, what are you going to do?

Interjection: I'll bill it to my wife; she owns it.

Mr Klees: You'll have to sell your Cadillac, sir, and you'll have to buy a Chevrolet. The principle here is that for too long in this province we've had a situation where the marketplace hasn't been allowed to work, where your rent control has led to street control. That is what we have today. Why are people on the street in this province? It's because there isn't sufficient affordable housing. No one debates that. What we're attempting to do is to ensure an environment that is going to provide security to the people in this province that they have a place to live, that they have a roof over their head that they can count on. It certainly hasn't happened in the legislation that's been in place in the past.

Let me just make reference to the fact that the member for Algoma earlier, when I said what we would be introducing into the House would be better than the

previous legislation, said, "How will it be better?" Let me suggest that the way it's going to be better is that, first of all, we're going to recognize that to deliver affordable housing you have to consider the total picture, not simply the very narrow issue of control. You have to realize that delivering affordable housing starts with building, starts with the product called land, and affordable land.

This government not only is going to deliver tenant protection legislation that will ensure tenants are protected, that'll ensure a reasonable return on investment for those who are prepared to move in and build that product, but we're going to address the broader issue of what it costs to deliver a product to the marketplace. It includes the cost of construction, it includes the costs of maintenance, and yes, it includes the cost of a return on investment which the previous government was absolutely oblivious to, and that's why there were no investments in affordable housing. There were no investments in rental stock in this province, thanks to your legislation. Yes, we're going to change that.

But most important is the cost of limited supply. That was the cost of the previous government's legislation, the cost of limited supply. We believe that by having the courage to introduce legislation in this House — that clearly isn't understood by the previous Liberal government either, because they flip-flopped on this issue so many times. In their literature they said there's something wrong with this rent control legislation and they would change it. Now I see them wearing buttons that were paid for by taxpayers of the city of Toronto. You should be ashamed of yourselves. Why not 'fess up to the fact that it's time the people of this province got a bang for their buck, for their tax dollars, and it's invested into the right places with integrity by a government that has the courage to do what's right.

I suggest that the people of this province, the elderly, those who need the support of affordable housing, will be encouraged by what this government is prepared to do for them. Stay tuned, because the people of this province will be very pleased with what the minister introduces in this House.

Mr Gilles Bisson (Cochrane South): The Tory members say this is about courage. Let me tell you, it has absolutely nothing to do with courage. It has to do with a government that ideologically believes tenants should not get the protection, that they should deliver to the hands of the landlords in this province tenants and higher rent increases. That's all this is all about. So cut the baloney and get to what this is really all about.

The reality is the government is utilizing three arguments to sell its package of goods when it comes to rent control. The first one is they're saying: "Rent control prevents the construction of new apartment buildings and if we get rid of rent control, automatically all these apartment buildings will be built across the province of Ontario. You just wait and see." Why don't we look at other jurisdictions and what happened in jurisdictions across Canada, in North America, in the United States, that don't have rent control or have very weak rent control. Are there any new apartment buildings being built at a greater rate than what we're seeing in Ontario? Not at all, because the reality is the cost of building the apartments is what prevents those from being built. It's

a question of material costs, it's a question of property costs, it's a question of labour costs and it's also a question of taxation. It is not about rent control. You compare Ontario, which has the strongest rent control legislation in North America, to those other jurisdictions that have very weak rental legislation and what you find is basically the same amount of units being built one after another.

1740

They also say the person who wants to invest, to build a brand-new apartment building, cannot do so because if they build that building it's going to fall under rent control and the government is going to set how much money the person has to pay in order to be able to rent that unit. Malarkey. The NDP rent control legislation says if you build a new apartment building in Ontario, you're exempted for five years. For five years the marketplace decides what the price of rent shall be, and after that it falls under rent control. So if people want to invest, nothing stops them from doing it now. You can build a two-unit apartment building; you can build a 2,000-unit apartment building. In the end, the marketplace will decide what the rents will be, not rent control legislation.

The other thing the government says is that we have to be able to deliver choice, that rent control somehow or other prevents people from being able to choose apartments. The reality is that prior to rent control or during rent control, those have always been issues. They're economic issues. They have absolutely nothing to do with rent control. They have to do with, if I've got an income of \$1,000 a month and I can only spend \$500 or \$600 a month on rent, obviously I have less choice of where I'm going to be living compared to somebody who makes \$4,000 per month clear. Questions of economics of the individual have nothing to do with rent control.

They say it's a question of maintenance. This is the best one: Rent control prevents landlords from being able to maintain their buildings. These are supposed to be business people? They don't understand that they bought apartment buildings which they invested in, that renters have paid good money to live in, and they have a responsibility to manage those buildings. So if somebody had a building 35 years ago and then turned around — and what did they do with the money from the rent for the past 35 years? That's why people paid rents. It's a business. The individual is supposedly paying money; the tenant pays money to the landlord. The landlord then has to manage his or her building, and it's the responsibility of the landlord to in the end make the necessary investments to maintain the building.

But the Conservative government says: "No, that's not the case. Let us go to landlords who have not been responsible and allow them to raise the rents. Let's allow the landlord to pass on huge rent increases to tenants because the landlord hasn't done a good job of maintaining his or her apartment building." If that's what you're all about, I say that you're wrong.

The other point I want to make is that the Minister of Housing and his parliamentary assistant have gotten up on repeated occasions in this House and outside of this House and said, "The NDP who are fighting this fight on rent control are trying to scare all the tenants of the province of Ontario." It is you, Minister, who is scaring

them, not us. It is you, because you're the guys who during the 1995 election said: "We will protect rent control. We will preserve it or we will enhance it."

We had rent control leaflets during the last election where the member for Eglinton, Bill Saunderson, said in his leaflet, "Mike Harris will strengthen rent control, not cancel it." We have Derwyn Shea, the member for High Park-Swansea. Elect him and what is he going to do? He's going to protect you. He's going to make sure that rent control stays in place.

We just had a by-election in York South where the Tory candidate went around saying, "Rent control will continue." But on the other hand, what have you got? The Minister of Housing, who says to FRPO last August: "Don't worry, guys. We're going to scrap rent control." And then you wonder why tenants in this province got nervous? They got nervous because they know that you're serious. They know because you picked sides, as we in the NDP picked sides. We decided we wanted to protect tenants; you have decided that you want to protect landlords. Obviously the tenants are going to get upset, the same way the landlords were upset with us when we introduced our rent control legislation.

We tried to find a balance, as Minister Cooke had said at the time, but you've got to come to the realization that when it comes to the question of rent control, there are two sides to the issue: Those who pay want rent control and, by and large, those who receive don't want rent control. Let's be clear: I understand the Conservative government has an ideology. They want to preserve and enhance and give all kinds of opportunity to the landlords; I understand that. But don't stand in this House and say that we are in some way trying to scare the tenants of this province, because it is your policy, or your intended policy, that is going through the process of scaring these people.

Last but not least, in the minute I have left, I say to the tenants of this province simply this: The only way you're going to be able to protect yourself in the end when it comes to rent control is by you getting involved with your tenants' associations across this province, by getting involved with the people at Metro Toronto who have been involved in putting together the rent control campaign, by getting involved with the Let's Save Rent Control, Keep Your Hands Off Rent Control campaign of the NDP, to speak out in unison, to speak out as a group to the government and say, "Keep your hands off the rent control system," because if you as tenants don't, this government is going to roll right over you like a steamroller.

Your involvement does have an effect. I remember when the minister said last summer that they were going to scrap rent control. They had full intention of doing so, of getting rid of the rent control system and not really replacing it with any kind of protection. In discussions I had with him in estimates he further concluded that this was going to happen. But as tenants started to put pressure on the minister, as tenants started to put pressure on Tory MPPs who live in areas with high tenant populations, the government started to back down somewhat. Will they stop? Will they keep the NDP rent control system? No. They will make changes, there's no question.

The job we have to do as tenants across this province is to band together and to say to this government at every

opportunity, by contacting your local MPP and the Minister of Municipal Affairs and Housing, not at their ministry offices but at their constituency offices, "Keep your hands off rent control." If you keep the pressure on them, what's going to happen in the end is that they will moderate what they're going to do and at least you will only get partially run over by this Tory machine, you won't get squashed.

The Deputy Speaker: Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

Call in the members; there will be a five-minute bell.

The division bells rang from 1748 to 1753.

The Deputy Speaker: Would the members please take their seats.

Mr Wildman has moved opposition day number 3. All those in favour please rise.

Ayes

Bartolucci, Rick	Cordiano, Joseph	Laughren, Floyd
Bisson, Gilles	Curling, Alvin	Marchese, Rosario
Boyd, Marion	Duncan, Dwight	Martel, Shelley
Bradley, James J.	Gerretsen, John	McLeod, Lyn
Caplan, Elinor	Grandmaître, Bernard	Pouliot, Gilles
Christopherson, David	Gravelle, Michael	Pupatello, Sandra
Churley, Marilyn	Hampton, Howard	Sergio, Mario
Colle, Mike	Kennedy, Gerard	Silipo, Tony
Conway, Sean G.	Lalonde, Jean-Marc	Wood, Len
Cooke, David S.	Lankin, Frances	

The Deputy Speaker: All those who are opposed will please rise one at a time.

Nays

Arnott, Ted	Galt, Doug	Newman, Dan
Baird, John R.	Gilchrist, Steve	O'Toole, John
Barrett, Toby	Grimmett, Bill	Ouellette, Jerry J.
Bassett, Isabel	Guzzo, Garry J.	Parker, John L.
Beaubien, Marcel	Hastings, John	Rollins, E.J. Douglas
Boushy, Dave	Hodgson, Chris	Ross, Lillian
Brown, Jim	Hudak, Tim	Saunderson, William
Carroll, Jack	Johns, Helen	Shea, Derwyn
Cunningham, Dianne	Johnson, David	Sheehan, Frank
Danford, Harry	Johnson, Ron	Sterling, Norman W.
DeFaria, Carl	Jordan, Leo	Stewart, R. Gary
Doyle, Ed	Kells, Morley	Turnbull, David
Ecker, Janet	Klees, Frank	Villeneuve, Noble
Elliott, Brenda	Leach, Al	Wettlaufer, Wayne
Fisher, Barbara	Leadston, Gary L.	Wilson, Jim
Flaherty, Jim	Marland, Margaret	Wood, Bob
Ford, Douglas B.	Martiniuk, Gerry	Young, Terence H.
Fox, Gary	Maves, Bart	
Froese, Tom	Munro, Julia	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 29; the nays are 55.

The Deputy Speaker: I declare the motion lost.

It now being almost 6 of the clock, this House stands adjourned until 10 o'clock tomorrow morning.

The House adjourned at 1756.

TABLE DES MATIÈRES

Mercredi 5 juin 1996

PÉTITIONS		
Déchets toxiques		
M. Lalonde	3326	
PREMIÈRE LECTURE		
Loi de 1996 visant à simplifier les processus gouvernementaux au ministère du Procureur général,		
projet de loi 61, <i>M. Harnick</i>		
Adoptée	3328	
Loi de 1996 sur les espèces vulnérables, menacées ou en voie de disparition, projet de loi 62,		
<i>M. Wildman</i>		
Adoptée	3329	
Loi de 1996 visant à simplifier les processus gouvernementaux au ministère des Affaires civiques, de la Culture et des Loisirs, projet de loi 63, <i>M^{me} Mushinski</i>		
Adoptée	3329	
Loi de 1996 visant à simplifier les processus gouvernementaux au ministère de la Consommation et du Commerce, projet de loi 64, <i>M. Sterling</i>		
Adoptée	3329	
Loi de 1996 visant à simplifier les processus gouvernementaux au ministère du Développement économique, du Commerce et du Tourisme, projet de loi 65, <i>M. Saunderson</i>		
Adoptée	3329	
Loi de 1996 visant à simplifier les processus gouvernementaux au ministère de l'Environnement et de l'Énergie, projet de loi 66, <i>M^{me} Elliott</i>		
Adoptée	3329	
Loi de 1996 visant à simplifier les processus gouvernementaux au ministère de la Santé, projet de loi 67, <i>M. Wilson</i>		
Adoptée	3329	
Loi de 1996 visant à simplifier les processus gouvernementaux au ministère du Développement du Nord et des Mines, projet de loi 68, <i>M. Hodgson</i>		
Adoptée	3329	
Loi de 1996 visant à simplifier les processus gouvernementaux aux ministères du Solliciteur général et des Services correctionnels, projet de loi 69, <i>M. Runciman</i>		
Adoptée	3330	

CONTENTS

Wednesday 5 June 1996

MEMBERS' STATEMENTS

Plant closure	
Mr Gerretsen	3311
Automobile insurance	
Mr Kormos	3311
Jim Murray	
Mrs Marland	3311
Education	
Mr Patten	3312
Forest firefighting	
Mr Laughren	3312
Environmental events	
Mr Galt	3312
Taxation	
Mrs Pupatello	3312
Minister of Environment and Energy	
Ms Churley	3313
Red Tape Review Commission	
Mr Sheehan	3313

STATEMENTS BY THE MINISTRY AND RESPONSES

Government process simplification	
Mr Harnick	3313
Ms Mushinski	3314
Mr Sterling	3314
Mr Saunderson	3315
Mrs Elliott	3315
Mr Wilson	3315
Mr Hodgson	3315
Mr Runciman	3316
Mr Bradley	3316
Mrs Caplan	3317
Mr Wildman	3317

ORAL QUESTIONS

Obstetrical care	
Mrs Caplan	3317
Mr Wilson	3318, 3320, 3321
Ms Lankin	3319
Mr Cooke	3320
Property assessment	
Mr Conway	3319
Mr Leach	3319
Ipperwash Provincial Park	
Mr Hampton	3321
Mr Harnick	3321
Mr Wildman	3322
Mr Hodgson	3322
Interprovincial trade	
Mr Conway	3321
Mr Saunderson	3321
Development charges	
Mr Baird	3323
Mr Leach	3323

Crown land camping fees

Mr Michael Brown	3323
Mr Harris	3323

Ontario women's directorate

Ms Churley	3324
Mrs Cunningham	3324

AgriCorp

Mr Barrett	3324
Mr Villeneuve	3324

Physician shortage

Mr Bartolucci	3325
Mr Wilson	3325

PETITIONS

North York Branson Hospital

Mr Kwinter	3326
------------------	------

Child care

Mrs Boyd	3326
----------------	------

Children's law reform legislation

Mr Hastings	3326
-------------------	------

Fiscal and economic policy

Ms Lankin	3326
-----------------	------

Ontario Hydro

Mr O'Toole	3327
------------------	------

Non-profit housing

Mr Curling	3327
------------------	------

Rent regulation

Ms Churley	3327
Mr Bisson	3327
Mr Colle	3328
Mr Pouliot	3328

Mandatory inquests

Mr Bartolucci	3327
---------------------	------

Scarborough General Hospital

Mr Newman	3327
-----------------	------

Liquor Control Board of Ontario

Mr Bradley	3328
------------------	------

FIRST READINGS

Government Process Simplification

Act (Ministry of the Attorney General), 1996	
Bill 61, <i>Mr Harnick</i>	
Agreed to	3328

Endangered, Threatened and Vulnerable Species Act, 1996

Bill 62, <i>Mr Wildman</i>	
Agreed to	3329

Government Process Simplification

Act (Ministry of Citizenship, Culture and Recreation), 1996	
Bill 63, <i>Ms Mushinski</i>	
Agreed to	3329

Government Process Simplification Act (Ministry of Consumer and Commercial Relations), 1996

Bill 64, <i>Mr Sterling</i>	
Agreed to	3329

Government Process Simplification Act, (Ministry of Economic Development, Trade and Tourism), 1996, Bill 65, *Mr Saunderson*

Agreed to	3329
-----------------	------

Government Process Simplification Act (Ministry of Environment and Energy), 1996

Bill 66, <i>Mrs Elliott</i>	
Agreed to	3329

Government process Simplification Act (Ministry of Health), 1996

Bill 67, <i>Mr Wilson</i>	
Agreed to	3329

Government Process Simplification Act (Ministry of Northern Development and Mines), 1996

Bill 68, <i>Mr Hodgson</i>	
Agreed to	3329

Government Process Simplification Act (Ministries of the Solicitor General and Correctional Services), 1996, Bill 69, *Mr Runciman*

Agreed to	3330
-----------------	------

OPPOSITION DAY

Rent regulation, opposition day

motion number 3, <i>Mr Wildman</i>	
Mr Wildman	3330
Mr Shea	3331
Mr Kennedy	3332
Ms Churley	3335
Mr Gilchrist	3336
Mrs Caplan	3338
Mr Cooke	3339
Mrs Marland	3340
Mr Curling	3341
Mr Marchese	3343
Mr Klees	3344
Mr Bisson	3345
Negated	3346

OTHER BUSINESS

Visitor

The Speaker	3313
-------------------	------

Speaker's ruling

The Speaker	3313
-------------------	------

continued overleaf

CA 20N
XV
-223

Government
Publications



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Jeudi 6 juin 1996



Speaker
Honourable Allan K. McLean

Président
L'honorable Allan K. McLean

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 6 June 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 6 juin 1996

*The House met at 1003.
Prayers.*

PRIVATE MEMBERS' PUBLIC BUSINESS

CHILDREN'S BILL OF RIGHTS

Mr Cooke moved private member's notice of motion number 20:

That in the opinion of this House, the government of Ontario should introduce a bill of rights for Ontario children which, in keeping with the spirit of the United Nations Convention on the Rights of the Child to which Canada is a signatory, the spirit of Yours, Mine and Ours: Ontario's Children and Youth 1994 report of the Premier's Council on Health, Well-being and Social Justice, and the spirit of Mike Harris's Common Sense Revolution, which promises community nutrition programs, a learning and earning and parenting program, homework assistance programs and child support enforcement, and that such a bill of rights for Ontario children should include the following principles:

(1) that every child has the right to a standard of living adequate for his or her physical, mental, spiritual, moral and social development;

(2) that every child has the right to benefit from social security, including adequate social assistance where financial need exists;

(3) that every child has the right to benefit from accessible, high-quality child care services and facilities;

(4) that every child has the right to be protected from exploitation and abuse, whether physical, sexual, mental or emotional;

(5) that every disabled child has the right to enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance, and facilitate the child's active participation in the community;

(6) that every child has the right to the highest attainable standard of health and access to health care services, including the provision of adequate, nutritious food and clean drinking water;

(7) that every child has the right to participate fully in cultural and artistic life with equal opportunities for cultural, artistic, recreational and leisure activities; and

(8) that every child accused of an offence has the right to be treated in a manner consistent with promoting the child's sense of dignity and worth, reinforcing the child's respect for the human rights and fundamental freedoms of others, and taking into account the child's age, reintegration and assuming a constructive role in society.

The Deputy Speaker (Mr Bert Johnson): Pursuant to standing order 96(c)(i), the honourable member has 10 minutes.

Mr David S. Cooke (Windsor-Riverside): I think it's particularly appropriate that this resolution is being debated today in light of the information that has come out publicly with respect to young offenders at Bluewater who were then transferred to the Elgin-Middlesex centre. More will be said about that, I'm sure, in the House later today, but I think it reinforces the fact that we're talking here about young people. We're talking about rights that need to be guaranteed in law and need to be respected by all of society no matter what a young person has done to bring them in contact either with the justice system or services that are needed to assist that young person.

I want to say that the resolution I have tabled and am asking support for from the Legislature today I believe sets out objectives not only for government, although government obviously has to show the leadership, but for all of our society: business, labour, our entire community. If this objective of society's was set out, we could all work together to achieve these goals for the children of this province. It's time, in my view, that society was led by its elected leaders in the Legislature and set out these goals for our young people in the province.

I know there are some in this province who believe that government no longer has a major role to play and that every time government has gotten involved in something, it has failed. But, Mr Speaker, I want to say to you that all of us will remember that we, as a society, set out in the 1960s and the 1970s, as a goal, to eradicate senior citizen poverty in our country. By and large, that goal has been achieved because it became a priority for governments, it became a priority for individuals, it became a priority for our communities. It became a priority every time people went to the polls to vote for their governments, because that was a number one objective of everyone who lived in our country. So when government and society and communities work together, we can achieve a lot. I believe it's not only in the best interests of children but in the best interests of all of society if we begin to set this as a major goal objective and that we direct programs.

I also want to say that the purpose of such legislation and I think its major accomplishment could be that it would set a measurement by which government can be measured about how it's achieving these goals and objectives and principles if a bill of rights was passed. That's been one of the problems. I don't believe we have set out common goals and objectives of what we want to achieve to overcome some of the difficulties our children are experiencing in our province. I want to run through just a few of the actual principles that we have included in this resolution.

The first one is "that every child has a right to a standard of living adequate for his or her physical, mental, spiritual, moral and social development."

1010

For years now, we have all talked, as politicians and others in society, about the need to eradicate child poverty in our country. It's time we did something about it. I believe that with the words that have been spoken by the current federal government that if in fact provinces jumped on board, there could be a national program directed at eradicating child poverty. This is pretty fundamental to any plan that would be put in place to assist children in our country and in our province.

"That every child has a right to benefit from social security, including adequate social assistance where financial need exists."

Of course that's tied in with (1). Where there are families that require assistance through the social assistance program, then that social assistance has to be adequate to live and to avoid poverty in our province.

"That every child has the right to benefit from accessible, high-quality child care services and facilities."

Access to education is fundamental to providing a future for our kids. The Royal Commission on Learning report, *For the Love of Learning*, said very clearly — it's documented — that for every dollar invested in our young children in the early years' programs, we can avoid \$7 of expenditures later.

So when we talk about access to high-quality child care services, I think this puts child care in the proper context. Child care is not just a women's issue or an economic issue, it has primarily got to be seen as a children's issue in this province. Child care is not baby-sitting. Child care is early childhood education. So when you combine this with junior kindergarten programs and kindergarten programs and you have access to early child care facilities and early childhood learning opportunity, I believe you've increased opportunities, you've begun to move towards equalization of opportunity in our province.

Again, in 10 minutes you don't have time to respond to everything that was said in the Royal Commission on Learning report, but if you take a look at how they've documented the need for access to these types of programs, I think it is very compelling. I would finish on this comment by saying that if you want to put this in economic terms, I'd say don't look south of the border for models of how you treat children in their early years and access to child care and early childhood education opportunities; look to some of our other competition, for example, Europe where three-year-old programs in the education system are commonplace.

It may just be important for people, especially in the Conservative Party, to understand that maybe that's why quite often in worldwide testing, where we're compared to other jurisdictions, some of our kids don't do as well as students in European jurisdictions. Maybe that's because they are given opportunities at a much younger age, and they do better in literacy and numeracy than our kids because they've been exposed to it at an earlier age. That kind of investment is not ideological; it's practical. It's absolutely practical and important if we're going to compete in the world.

"That every child has a right to be protected from exploitation and abuse, whether physical, sexual, mental or emotional."

Again, I refer to what's been in the news in the last 24 hours. Young offenders still have rights. No matter how difficult it is for all of us to accept that, the fact is, a criminal whether a young person or an adult — but here we're talking about children — still has rights. They have rights when they're in our custody, especially, to be able to understand that they're not going to be physically abused. I think that how the current government handles this situation in Bluewater and the Elgin-Middlesex centres over the next several weeks is going to, more than anything, define what this government believes not only about children involved in our justice system but about young people generally.

"That every disabled child has the right to enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance, and facilitate the child's active participation in the community."

Again, there are programs that have been put in place over the years and need to be expanded, need to be strengthened in our province so that we can integrate entirely children who are physically or mentally challenged into our entire society. Unfortunately, with some of the cuts that are taking place in the Ministry of Community and Social Services and some of the cuts that are taking place in the Ministry of Education and Training, we are seeing steps being taken backward, not forward. Vulnerable children, disabled children, are the most vulnerable to these cuts.

"That every child has the right to the highest attainable standard of health and access to health care services, including the provision of adequate, nutritious food and clean drinking water."

When you take a look at the waiting lists now at some of our agencies in this province, our children's mental health programs in this province, the waiting lists have always been, for the last several years, unacceptably long. They're getting longer now because of the cuts. A child needs the intervention of a social worker or a psychologist or a speech pathologist. They may be waiting six months before they even get assessed, let alone a year to get treatment.

Time doesn't permit to go into all of how I feel about the need to proceed on this, but I ask members of the Legislature to take a look at this resolution, to take a look at the principles it sets out and today pass this resolution unanimously so that we as a Legislature can say that we believe in the rights of children, we're prepared to set this as a goal of this Legislature and we think society should set it as a goal.

Mrs Julia Munro (Durham-York): It is a pleasure to address the House on the issue raised by the member for Windsor-Riverside. Our children are important to all of us. I would like to comment on a number of the issues that have been raised.

Given the attention our government places on Ontario's children, I would like to remind the members of this House of some of the initiatives we as a government have taken to improve the lives of children in the province of Ontario. In the short time we have been in government, we have clearly demonstrated that children are a priority.

I must point out that there are several ministries working together towards improving services for children.

The Common Sense Revolution clearly outlined the Premier's commitment to implementing a community nutrition program for school-aged children. Studies have found that there is a direct link between children who go hungry, that they tend to do poorly in class, are more disruptive and suffer more health problems. With leadership from the Premier and with private sector and volunteer support, a nutrition program will be implemented at little or no cost to the taxpayer. Such a program will meet specific criteria: It will be accessible, it will be family- and community-driven and it will not compete with existing programs.

To that end, the May 7 provincial budget allocated up to \$5 million this year in startup funding for the formation of a partnership with the Canadian Living Foundation for Families, to help parents and communities set up and expand local nutrition programs for elementary school children.

Raising children is a demanding job. Every Ontarian has an interest in making sure that young children start life in a healthy and secure environment. We all have a stake in their wellbeing.

By avoiding a large government bureaucracy, this partnership will ensure that the largest possible share of available funding, including donations from individuals and businesses in the community, goes directly to meeting children's needs. This \$5-million commitment is a modest investment which will have big payoffs in terms of increased involvement by large corporations, small businesses and volunteers.

Our investment will ensure that communities have the tools and the support they need to get programs started and to sustain them over time without government funding.

Parents and communities will take the lead in identifying the need for child nutrition programs and in getting these programs up and running.

The government and the Canadian Living Foundation for Families will make sure communities have the support they need to develop local solutions. Volunteers will play a key role in providing the community nutrition programs.

1020

As well, the government is working on a number of other initiatives designed to support children. For instance, the Attorney General's office is working on the family support plan. They are aiming to increase compliance and to make sure parents pay their child support. By doing so, we will improve child support and enforcement.

Some possible solutions could be the use of better technology and enhanced enforcement powers. Currently, there is over \$900 million owing in arrears. We can and must do better for our children's sake.

The Ministry of Health has introduced a number of new initiatives which are going to enhance child health. We know children who receive a good start have greater opportunities and the possibility of a healthier, more productive life. To that end, the Ministry of Health, the Ministry of Community and Social Services, the Ministry of Education and the Ministry of Citizenship and Culture will work collaboratively on a Healthy Babies, Healthy

Children program. This represents a \$10-million investment in children's health.

Another key initiative the Ministry of Health, the Ministry of Community and Social Services and the Ministry of Education are working together on is a \$10-million investment, which will double to \$20 million in future years, for new speech and language services for preschool children. Speech and language disorders are the most prevalent handicapping condition for about 10% of Ontario's children. Early speech and language intervention before a child enters a school has proven results. The government is investing in young children to prevent the need for far more costly intervention later.

The Ministry of Health is also investing \$4.5 million in a measles immunization program and is expanding the \$6 million hepatitis B immunization. So you can see that this government's commitment is to achieving the highest standard of children's health possible.

Given all that this government is doing for children and that the government is delivering on most of the items mentioned in the member's motion, we are committed to doing even more for children and we'll certainly support the member's motion.

I believe we have demonstrated our government's dedication to children. We are taking the necessary steps to ensure children are safe, well cared for, provided with excellent health care and have the opportunity to live a useful and productive life.

Mr Rick Bartolucci (Sudbury): I stand in support of this resolution today because:

Contrary to what you just heard, this government's agenda does not include children in a meaningful or positive way. That's why this resolution is so important.

The Premier, the Minister of Finance, the Minister of Community and Social Services, the Minister of Education and any other minister who is charged with the responsibility of protecting children are not ensuring our children's future or protecting the children of tomorrow. That's why this resolution is so important.

This government believes that children's agencies shouldn't be treated any differently than any other agency in government when these same children's agencies can't meet the demand now placed on them. That's why this resolution is so important.

This government's commitment to a 30% tax cut without regard for the needs of children is so blatantly and fundamentally flawed. That's why this resolution is so important.

In the year past, the year of the child, the Ontario child has been sacrificed by a government which doesn't understand the pain children experience. That's why this resolution is so important.

We shouldn't need to be debating this type of resolution in Ontario. It should be a fundamental, automatic right of a child to be protected by government policy. Government must, without reservation, ensure that the policy and direction it takes ensure the safety and fosters the positive growth of children in every area of growth — in their physical, mental, spiritual, moral and social development. Governments are charged with that responsibility. If the government was fulfilling the mandate that it's charged to fulfil by the people of

Ontario, we needn't have to debate this resolution. But this isn't the case.

Sadly, when you think of the children out there, we have to ensure that this resolution is passed, and passed unanimously, because we must protect children. We must protect children because of this government's policy. If we only look at section 2 of the resolution, "that every child has the right to benefit from social security, including adequate social assistance where financial need exists," let's talk about the pain children experience.

The pain is real and the pain manifests itself in many different ways. If a child is hungry because of the welfare support to his parent being cut, that pain is real and that pain is immediate and that pain is intense.

The pain of being teased in the playground because you're not dressed like the other kids, because your parents can't afford proper clothing, that pain is real and that pain is immediate and that pain is intense.

When you're embarrassed at school because you can't afford to buy a piece of pizza on Pizza Day or you can't afford to Kris Kringle at Christmastime with the rest of your students because your parents don't have that extra few cents, that pain is real and that pain is immediate and that pain is intense.

Approximately 500,000 children have been hurt by this government's cuts to welfare — 500,000 children hurt. The pain is real, the pain is immediate and the pain is intense.

There were 2,200 more children under 13 in families on social assistance last month than there were in August, and that pain is real and that pain is immediate and that pain is intense. There has been a 53% increase this year alone in the number of mother-led families in Metro Toronto who have had to turn to hostels for shelter. Tell me that the pain that these kids feel isn't intense, isn't immediate and isn't long-lasting. Forty per cent of the people on welfare are children. Tell me if that pain isn't immediate, if that pain isn't real and if that pain isn't intense.

Let's take a look. The member for Windsor-Riverside spent just a few moments talking about early childhood education. Let's take a look at what happens when you cut funding to the junior kindergarten program. There is no question about it, the people of Ontario clearly know that this government cut funding to junior kindergarten programs. They may say it's a local option; they've given no option. They have cut funding to junior kindergarten, and whether the death of junior kindergarten comes this year or next year, death is imminent.

Let's see what happens in the long term when you cut funding to programs like junior kindergarten. "Early childhood education programs provide the foundation upon which all later educational success is structured." Let me tell you, after being in the classroom for 30 years I know that to be a fact. "As outlined in the Royal Commission on Learning report, quality early childhood care and education has been identified as one of the four engines of change that should drive education reform:

"Research findings and practice experience indicate that much learning takes place in the years before a child starts grade 1. We know that positive learning experiences help children to develop self-confidence and

positive attitudes to learning and equip them with a strong foundation for the development of learning skills."

We're talking about programs that happen before grade 1. We're talking about junior kindergarten. We're talking about senior kindergarten programs.

1030

"Quality early childhood education programs are the most practical strategy for the prevention of future problems for children in Ontario. Longitudinal research such as the Perry Preschool Project has found that children who receive quality early childhood care and education during their early years had significant higher levels of social, economic and emotional success by the age of 27. Compared with a control group, the adults from this study showed higher earnings by \$2,000 per month; greater levels of home ownership; higher levels of high school graduation by 33%; lower incidence of arrests and convictions by 50%; lower incidence of dependence on social services by 50%."

Those are astounding figures and if the government would only look at these figures, they would know their agenda for early childhood education is flawed, is wrong. What you are doing is providing the pain I spoke about earlier, but you're not providing it for the short term. The pain that's going to be real, the pain that's going to be immediate, the pain that's going to be intense is also now going to be long-lasting because you haven't afforded the opportunity for children to get a proper foundation.

After being in a classroom for 30 years, I know only too well that if a child starts off with a secure and proper foundation, the child will grow in a very secure and proper way. The child will be positive towards learning, the child will experience success, the child will experience happiness and the child will experience the joy of learning, instead of the frustrations, instead of the hurt and instead of the pain that will be real, that will be intense and that will be immediate, as well as long-lasting.

I'm not happy to be able to stand up here today and have to support this type of resolution, but I know because I care for children, as I'm sure the members of both opposition parties care for children, and do you know what? Individually, I don't think there's a member on the government side who doesn't care for children. I don't believe for a second that what's happening to children in Ontario today is because any individual member of this House wants it to happen. It's because of a belief in a philosophy, in a Common Sense Revolution that makes no sense, that makes no perfect sense, that is flawed because of what the basis of the revolution is.

Fellow members of this House, our children are important. Our children are the future Ontario must build upon. Each child in Ontario is a biography. Each child will have a life story to tell. From its very early stage in that story, the story must start out on a happy note. In order to do that, children must have the security that their government will provide policies that protect them, that ensure their rights and ensure that they can grow in a strong Ontario and that they can be strong. Sadly, this is not the case; sadly, this is why I have to stand up in

support of the resolution; and sadly, this is why this resolution has come forward today.

I would only hope that after this sad story is over, there will at least be unanimous consent that this resolution is important.

Mr Bud Wildman (Algoma): I rise to support the resolution brought to the House by my colleague from Windsor-Riverside in favour of a Bill of Rights for Ontario Children. We know the United Nations has Canada as a signatory to the rights of the child convention of the United Nations and this resolution certainly follows from that.

My main concern is with items (5) and (7) in the resolution. Number (5) says "that every disabled child has the right to enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance, and facilitate the child's active participation in the community."

My concern is that with the changes that are being made in the Ministry of Education and Training and the amount of money that's being taken out of education in one year, \$1 billion in one year, it is going to be very difficult to provide special-needs children with the kinds of programs that are required to ensure that a disabled child will have the right to enjoy a full and decent life. Boards across the province are cutting the number of teachers' aides and special assistants in the classroom that are required to enable disabled children to be integrated into the classroom and to be able to develop to their full potential. This is very, very alarming and it's happening right across the province.

We also see that in number (7) it says "that every child has the right to participate fully in cultural and artistic life with equal opportunities for cultural, artistic, recreational and leisure activities." Again, we see with the programs that are being cut by boards to meet the spending targets that are being imposed on them by the Ministry of Education and Training that it's these very kinds of programs that are being cut first.

Board after board across the province is cutting music programs; board after board is cutting drama programs. Anything related to recreational and leisure time is seen as not being core to the program or not being central to the program that is necessary for a student to graduate, and as a result we, I think, are running the risk of severely limiting the exposure that children have to cultural and artistic life, and limiting their opportunities to determine what potential they might have for not necessarily going into those fields, but being able to appreciate them, being able to participate fully in the cultural life of their community by having some understanding of the wealth, the cultural heritage that we have coming from our own culture, our own heritage, the European heritage, the Asian, the African and so on around the world.

I commend my friend for introducing this resolution. I regret that the government apparently does not understand the need for a bill of rights in this province and I would urge that the government seriously consider the impact of the moneys that are being taken out of the education funding in this province, what effect the cancellation of junior kindergarten programs, special education programs, music, drama and other so-called

non-core programs is having with regard to the convention of the United Nations, of which Canada is a signatory and which we I believe have an obligation to fulfil. It's for that reason I urge the government to consider very seriously the implementation of a Bill of Rights for Ontario Children.

Mrs Janet Ecker (Durham West): I'm very pleased to rise to speak to this motion that our colleague from Windsor-Riverside has put forward today, to talk about the importance of children and the needs of children. There are many, many parents and grandparents in this caucus who understand and appreciate the importance and understand the anxiety and joy, that combination of feelings that only parents can truly appreciate. That's why we as a government have taken so many steps to try and protect children.

Some of the critics across the way like to describe our agenda as a jobs agenda —

Mr Wildman: No, it's not a jobs agenda, it's a cutting agenda; there are no jobs.

Mrs Ecker: — and frankly, I don't think we need to apologize for that. I know they're hooting and hollering on that, but I think even their own Premier's Council, the last government's Premier's Council on Health, Well-being and Social Justice talked about how employment is one of those indicators that helps healthy, stable families, and healthy, stable families are an important contributor to the health of children and one of the things that I think we need to be concerned about as a government and as a society.

1040

But if a strong economy was this government's only concern, I suppose I could at least understand the honourable members' concerns across the way, although you can make an argument that a strong, healthy economy is the building block upon which we build the social programs that are so important to us. But we are doing other things for children, important things for children, and I think my colleague the member for Durham-York has mentioned some of them today.

The member for Windsor-Riverside's resolution has a list of objectives, and I'd like to just touch on a few of them because there are too many things to talk about today in the time that I have available.

First of all, he talks about the need, in point 4, "that every child has the right to be protected from exploitation and abuse." That is certainly the preamble and the objective in the Child and Family Services Act; it's to serve the best interests of the child. Under this act, all serious injuries and deaths of children receiving services are to be reported to the ministry within 24 hours. We have \$360 million a year that is supporting the children's aid societies, and they have the mandate to provide services to children in need of protection under this legislation. We also have a contingency fund of \$30 million to help those agencies if they have a problem or a crisis in their services.

Disabled children is another area that is mentioned in point 5 of the member for Windsor-Riverside's motion, and we have a number of special programs to help disabled children and their parents. We're protecting services for the disabled: for example, the special services

at home program, which is \$37 million, which helps 10,000 individuals; the handicapped children's benefits, which is a program that is helping 11,000 children across this province; and, as our government has committed to previously and we will be announcing, the special allowance and the special support that we will be putting in place for disabled people who are currently stuck on the welfare system, which is not an appropriate way to respond to their very legitimate and very, very important needs.

Another effort is the restructuring of children's services that the ministry is doing. We currently spend more than \$700 million overall for children in need. One of the things I think is so important about how we are doing that is that we went out to the community, we went out to the advisory groups, and we asked: "How do we do this? What is the best way to make sure that these resources are going to front-line services to help children, where they should be?" That advice has helped us to develop a very realistic plan in children's services and also has helped us in collaboration with the other ministries that support that as well.

It's also important to note that while the federal government has the responsibility for signing treaties on behalf of the provinces, Canada is a signatory nation on the UN bill of rights for the child, and therefore Ontario is already bound by the United Nations' much more extensive bill of rights for children. In May 1995 Canada presented its report to the United Nations on the implementation of the convention in Canada. The Ontario contribution to the Canadian report was more comprehensive than any other province's. The UN issued its comment in June. They expressed no concerns with any aspect of Ontario's compliance with the United Nations Convention on the Rights of the Child. I think that's also an important point which we need to mention today.

Finally, I'd like to turn my attention to the issue of child care, which of course is something I've been very involved with over the past many months. I can understand the concerns of those in the community. I'd like to recognize that we have Kerry McCuaig from the Ontario Coalition for Better Child Care over there in the Speaker's gallery. I know the concern and the anxiety there is in the sector, because the prospect of any change is very difficult for people. One of the things I've been very concerned about is the rumours and the misinformation that have gone around because of that concern and anxiety perhaps, but also because of individuals who I think should exercise perhaps a little more restraint in the rumours they repeat to people. I have had women on the phone literally in hysterics because of things they have been told.

This government was supposed to have wiped out child care in July; we didn't do it. We were supposed to have wiped out child care in November's economic statement; we didn't do it. We're supposed to be implementing some sort of taking all the fee subsidies and turning them into vouchers; we're not doing that. There were predictions that this budget was going to cut child care; it didn't happen. As a matter of fact, we increased the child care spending in this budget up to \$600 million, the highest it's been in Ontario's history, and the reason we have

done that is because we believe in the importance of child care support to parents. We know how difficult it is for parents who are trying to get into the workforce to make sure there is quality care for their children; we understand and appreciate that. That is one of the reasons we are working so hard to bring forward recommendations that will help children and parents in their choices.

Some parents have the ability or financial resources to choose to stay at home and raise their children in the early years of life. There are others who would like to choose to but unfortunately are not able to. There are those where child care support is an absolute necessity. It's an important building block for those who are trying to get off social assistance. It's also a very important support for many people who perhaps are in low-income jobs, and that kind of child care support can make the difference between staying in the workforce or having to go back on assistance.

We want the system to help more parents, and that's one of the objectives we are trying to do. We're looking at parental choice, we're looking at flexibility, because one of the messages we have heard from so many people in the child care field is that the system needs to be more flexible so that it can meet the needs of parents and of children out there, parents who have shift work or part-time work.

I had the privilege this morning of being at one of the Better Beginnings projects here in Toronto. They talked about how the subsidy system as it is currently designed has not been able to help those on social assistance trying to get off because it's so rigidly structured.

Those are some of the objectives and things we are trying to do to improve the system. I would love to spend many more minutes talking about some of the things we would like to do in the child care system, but I close by saying I've been very pleased with the support and encouragement I have had from members of this cabinet, from my own minister and particularly from the Premier and the Deputy Premier, who also understand and appreciate the importance of this issue for so many parents out there in the province.

I've outlined some important principles that we see. We've touched on a couple of points that have been in the member for Windsor-Riverside's resolution. I don't know why he seems to feel that when he had the opportunity in the last several years — I understand he was a very influential member in his government — he could have brought forward something like this at that time. Because of the principles in this that we believe in and that we support, because we are trying very hard to meet those objectives in that resolution, I am very pleased to be able to support this motion on behalf of this government.

Mrs Sandra Pupatello (Windsor-Sandwich): I'm very happy to stand here today and support a colleague, who also comes from Windsor, in his motion brought forward in the House today in regard to children. As the House and those at home may know, the Ontario Liberal Party from the very beginning, immediately after June 8, 1995, selected the role of children's services critic, and I was very honoured to play that role. I feel some kind of kindred spirit with our fellow member for Windsor-

Riverside, Dave Cooke, because we in our critics' role of children's services had made such a significant statement that it has led the honourable member to bring forward the bill of rights today. I thank you for carrying the torch with us on the issue of children. People at home are very grateful too that Mr Cooke finally has joined us in our battle to ensure that the war against children stops.

The best thing I heard today, towards the end of the speech of the member opposite, was that the member for Durham West would be supporting the bill. Probably the most significant item is that government members will follow the lead of the member for Durham West and support the bill brought forward today in support of children across Ontario. We thank you for that and for showing leadership on behalf of your government today.

I had the opportunity to do some significant travel with groups like the Ontario Coalition for Better Child Care, and we spent some time on the road. We're very happy to see Kerry McCuaig here today, again showing leadership across Ontario communities on issues like child care and what it means to the balance of Ontarians. The government was hoping it would have jobs on that agenda. The government so far is not living up to its agenda for jobs. The previous government as well had honourable intentions in the area of jobs, but all leaders understand that child care is a significant component in the area of jobs and that this government too must address the area of child care.

1050

The member for Durham West has led some kind of investigative process — we're not certain what that process was — to look at the area of child care. We're glad she's here today telling us that it is a difficult topic to deal with, that critical to the discussion is funding.

In 1993 the former NDP government slashed across the board when they realized they had a spendthrift government for their first two years of office; they spent their last two clamping down. They clamped down across the board, including children's agencies. That, with me individually in Windsor, was when I started sitting up and taking notice of what the Ontario government was doing to children in Ontario, because they cut children's aid societies: They cut children's mental health agencies, since 1993, 5% one year and 5% the next year. Where was the priority for children in 1993?

I am so happy that our member for Windsor finally has seen the light and is showing some leadership in bringing forward a children's bill of rights. I am pleased on behalf of the Liberals, on behalf of my colleague the member for Sudbury, to support the bill of rights. We urge its passage today.

Mrs Marion Boyd (London Centre): It's a great pleasure to support my colleague from Windsor-Riverside in this motion today. It's very important for us to really look at the motion and understand what we are all committing ourselves to do: to speak on behalf of those who are too young, too immature to speak on their own behalf, whose voices seldom get heard and for whom we are the voice.

These sessions are supposed to be non-partisan. We haven't quite succeeded in that this morning, as is often true, and this truly should be a non-partisan issue. Studies

over the years commissioned under different levels of government have shown us that the elements of poverty, abuse, neglect and exploitation are the very indicators of the inability of people in later life to be self-sufficient and live healthy and fulfilling lives within our community. That is exactly what this motion is intended to remind us of and to spur us to change.

The reality is that we have a society, and we have to understand that, over a long period of time, not the responsibility of any one government or even a series of governments, where children are exploited, abused and neglected in great numbers.

The federal study around child abuse showed us that one in four young women and one in seven young men are abused before they reach the age of maturity. This ought really to concern us a great deal because the protection of our children is extraordinarily important to us. It is really important for us to constantly keep in mind that the factors that help us to keep our children safe are the factors that help us all to live a safe and healthy lifestyle.

It is extraordinarily difficult for parents who are enmeshed in job loss and in poverty to protect their children, to give their children a sense of self-worth. My colleague from Sudbury talked about the issue of the effect on children's sense of self when they are not able to participate in events or appear similar to their friends and feel as though they are part of mainstream society.

Hundreds of children run away from home every year, almost universally as a result of issues around abuse, exploitation or neglect. They don't all come from poor families. Many of them come from families where the issue is not economic wellbeing but the health of the family and the ability of people to parent appropriately.

One issue that my colleague the member for Durham West raised was the child care issue. I find it very difficult when this member says they have not cut any child care spaces, when we all know that nearly 5,000 spaces that were provided under the Jobs Ontario Training programs have been lost. It's extremely important for us to acknowledge that 19 child care programs have closed since this government took place, 12 regions have frozen their subsidy intake and 12 community-based planning groups have lost their funding. That is a serious blow to child care.

We are waiting for the report from the member for Durham West, and we are waiting to see whether in the case of child care the issue of flexibility in fact means flexibility to take away services and take away standards, because that's what flexibility has meant in the labour legislation, it's what it's meant in the health legislation, it's what it's meant in municipal affairs and environmental planning.

So we hope that the commitment of this government, as said by the member for Durham West, is that flexibility will indeed improve the lot of children instead of erode the quality and the number of programs that are available to them. We will be waiting to see whether that is in fact true.

The member for Durham West also said that the United Nations last June had expressed no concern about Ontario's compliance with the rights of children as

articulated by the United Nations. I wonder if they will say the same thing this June, because there has been a steady erosion of those basic supports to children that in fact got that successful report from the United Nations monitoring agency.

It is very important for us to understand that it is very, very swift when erosion of services begin to erode the supports for children, and that very often, because those children have no voice in the halls of power, their problems go unnoticed unless we bring them to the attention of the government of the day. It is extremely important for us to say yes, we have a Child and Family Services Act that makes provision for the protection of children; we do. In fact, under that act it is the responsibility, in part III of that act, for children's aid societies in this province to protect children from exploitation and abuse.

But all children's aid societies in this province have articulated very clearly the very great difficulty they are having in performing their task, and the need for us to rethink how to support families and children in the community. Vast amounts of money now go in that system to take children out of unsafe homes instead of to work with parents and with the community to provide the supports to keep children within their families and within their communities.

The real problem is that many of those services are not core services or mandatory services, as defined in the act. They are possible services: crisis intervention, assessment, counselling, preventive services. The kind of bringing someone in to teach parenting skills and to teach home-making skills. Those are the kinds of programs that are not mandatory in our children's aid societies but which, in fact, may be the key to helping our families and our children to be safer and more healthy places to live.

One of the things we need to recognize is that there is a domino effect whenever a program is changed. When a family with two children loses \$3,000 out of their income in a year, that has an effect on the children in that family. When the budget guide for the Social Planning Council of Metropolitan Toronto says that families need a certain amount of money in order to live, and that those families are living in Metro Toronto at \$7,234 below that guide, given the cuts to social assistance, we should be alerted that down the line we are going to see problems in terms of the ability of children to be motivated at school, the ability of parents to feed their children, the ability of parents to give their children the kinds of stimulation they need in order to be fully healthy and fulfilled.

When we look at the issue of those children living at \$46,654 below the average wage in Metro Toronto, we see that the gap is greater. What my friend from Sudbury said: What happens as a result of that gap is an erosion of the ability of young people to feel strong and effective within their community. What happens when you add a \$2 fee for every prescription for every child in every one of these families is an inability of parents to maintain basic health for their children.

1100

So when the government says, "We have nothing to worry about; we got a clean bill of health from the

United Nations in Ontario for obeying the rights of children last June," we need to ask ourselves what we will see in the future. Every time an action by government affects the ability of families to care for their children and the ability of children to learn and to grow in a healthy, safe environment, we must ask what the overall effect of that will be on our ability to protect the rights of children.

This is an issue that really requires far more than the kind of time that we have all had this morning. It is an issue that should be joined in a very real way, not just in this Legislature but frankly in all our communities. It's a truism to say that children are our future, but it is a very real issue that unless we are protecting and nurturing, caring for our children today, they will turn into uncaring adults, they will turn into adults who are not able to be self-sufficient, adults who are not connected into their communities, adults in fact who are alienated from those who did not care for them.

This is an awful warning to us, because we know that the roots of crime, the roots of destruction in our society are alienation. One of the aspects of not fulfilling the rights of children is that we alienate our future from ourselves.

The Deputy Speaker: Further debate? The member for Windsor-Riverside has two minutes.

Mr Cooke: First I want to thank the members who participated in the debate. I agree with many of the comments that have been made and the directions that even the Conservative members have reinforced. I just wish, as we were standing here today, that they were more than words and that they were being translated into programs and investments. Everybody today talked about the importance of investing in the early years, but what we see in the province right now is money being taken out both in the education system for junior kindergarten and in our child care system across the province.

We can use all the kind of language we want about reforming our child care program and talk about choice and flexibility and all the rest of it, but, as my colleague from London Centre has said, "flexibility" sounds like a good word but more often than not what it means with this government is removing flexibility from working families that want access to programs. That's exactly what'll happen with child care if we move to this program about your system program or if we take hundreds of millions of the dollars that we now invest and invest it more into home day care programs and so forth rather than investing them into the formal system that we currently have.

I think it will be an important statement today if we pass this resolution and go on record supporting this resolution, and that's why I appreciate the support that has been voiced by all parties. I want to say to my colleague from Windsor-Sandwich I appreciate her non-partisan comments throughout her speech, but I'm going to try to make a cable show out of this and I can tell her that we can sufficiently edit her comments to make them sound very supportive and I do appreciate the fact that the Liberal Party, after opposing junior kindergarten when I was Minister of Education and Training, is finally on side.

CHILDREN'S LAW REFORM
AMENDMENT ACT, 1995

LOI DE 1995 MODIFIANT LA LOI
PORTANT RÉFORME DU DROIT DE L'ENFANCE

Mr Hastings moved second reading of the following bill:

Bill 27, An Act to amend the Children's Law Reform Act / Projet de loi 27, Loi modifiant la Loi portant réforme du droit de l'enfance.

Mr John Hastings (Etobicoke-Rexdale): It's a privilege to stand in the House today to discuss the merits of Bill 27, An Act to amend the Children's Law Reform Act. The purpose of Bill 27 is to emphasize the importance of a child's relationship with his or her parents and grandparents. The amended act would require parents and other guardians with custody to refrain from unreasonably placing obstacles to personal relations between children and their grandparents.

I introduced Bill 27 because many parents and grandparents from all over Ontario have been victimized, in my estimation, by the loopholes of the current Children's Law Reform Act. Over the last two days I have presented this assembly, in the form of many petitions, over 900 signatures from Ontario citizens who support Bill 27. I understand that more petitions will be forthcoming at my office next week.

I have also received numerous calls and letters of support, not just from parents and grandparents but, surprisingly, from children. I have one letter in particular that I treasure, in a sense, because it was from a 15-year-old young lady who was separated from her grandparents when she was younger, was reunited briefly, only to be separated again by a family court when her parents petitioned that situation.

I'd like to pay tribute to all the folks who have come today to support this bill.

I have reviewed another letter from a set of grandparents who have not seen their grandchildren in over six years. Both parents in separate court decisions were deemed unsuitable to care for the children because of a history of physical and mental abuse. Rather than the court placing the children in the custody of their grandparents or other relatives, the children are now in a foster home awaiting adoption. These grandparents have been fighting for custody and access ever since, but their pleas are being ignored by the courts.

These are two stories out of hundreds that currently exist in Ontario, where the best interests of the child are not being considered.

I am not the first member to introduce this type of legislation in the House. The Attorney General of the former Liberal government, Mr Ian Scott, introduced legislation that died a quick death on the order paper. The previous NDP government introduced similar legislation, but the outcome was similar in prediction when the election was called.

The fundamental principle and message of this bill is to require provincial family court judges to consider the ongoing dynamic relationships between children and grandparents in the access and potential custody of the family. This principle strengthens the wellbeing of the child-centred decision-making in provincial family courts.

The current Children's Law Reform Act is amended by adding the following subsections.

In the first, subsection 24(2), a list of matters that a court must consider when determining the best interests of a child is amended to include a specific reference to "the importance of maintaining emotional ties between children and grandparents."

The second, subsection 24(2.1), quite unequivocally requires a court that is considering custody or access to "give effect to the principle that a child should have as much contact with each parent and grandparent as is consistent with the best interests of the child."

The third section that I would like to comment on is the proposed subsection 24(2.2), which requires that a court, in considering custody issues, "take into consideration each applicant's willingness to facilitate as much contact between the child and each parent and grandparent as is consistent with the best interests of the child."

May I add, this bill is fundamentally different from the legislation that was tabled in Ottawa by the Reform member of Parliament Daphne Jennings recently. Bill 27 does not eliminate the rights of children. It protects them and even advances and enriches the principle of child wellbeing as found in this legislation.

1110

May I add that the three subsections I have pointed out in this legislation are 24(2), (2.1) and (2.2). All clearly state the phrase "the best interests of the child."

Grandparents already have the right to make custody and access applications. Bill 27 is amended to mention them specifically, simply telling the courts that in certain individual circumstances grandparents should be specifically considered as an alternative to foster care or children's aid. At the end of the day, the actions which are in the best interests of the child must remain paramount, and that's what this bill does.

Bill 27 has the support of grandparents' groups across Ontario. Groups such as GRAND, the Heritage of Children of Canada and the Canadian Grandparents' Rights Association, family lawyers such as Mr Carl Orbach and Mr Sender Herschorn in Toronto and family court assessors have endorsed Bill 27, in addition to an Etobicoke-based group called Kids Need Both Parents, and a petition that was signed by over 900 Ontario citizens calling for the passage of Bill 27.

With some of the loopholes in the existing act, children are sometimes unfortunately used as pawns in bitter custody battles between the parents. Grandparents have often never seen their grandchildren as a result of these custody battles. Because of the many ambiguous laws, I was prompted to introduce this legislation.

Let us not forget who are the real victims in this situation: It is the children. Family is family, and children deserve the right to know who their family is. Children are very good judges of character and human and family values. Such character traits are what children are best known for when they are able to grow up in a safe and secure environment.

I encourage all members in this House to support Bill 27 and help reinforce a safe and secure environment for our province's greatest investment — our children.

Pour conclure, je crois que le principe fondamental dans ce projet de loi est la nécessité de créer de meilleures relations entre les générations et de reconnaître l'importance des liens et des racines familiales.

Applause.

The Acting Speaker (Mr Gilles E. Morin): I'd like to remind the people in the gallery that only the members are allowed to applaud. Further debate?

Mrs Sandra Pupatello (Windsor-Sandwich): I am happy to stand today in support of the bill that's being brought forward by the member for Etobicoke-Rexdale.

At the outset, I want to say that the member has every good intention to bring forward a bill, to get support of all members of the House, all opposition members and government members, to ensure the safe passage of the bill, because the intent of the bill is a very worthy one and I think all members today who are going to be here and listening are going to see that. In fact, they're going to think it's just as worthy as previous bills that have come into the House.

The grandparents who are here today clearly are wondering why we have gone through this the number of times we have. Why have we had Bill 156? Why have we had Bill 124? Why in the past have we brought the bills forward, the whole House has passed the bills, and we're back in the House again now talking about Bill 27, which is identical to Bill 124 in 1989 and also identical to Bill 156 from 1994? Why are we here again talking about Bill 27? We all agree with its content. Why are we doing this? We have to pass it. These two were passed as well.

Interjection.

Mrs Pupatello: Absolutely, Mr Speaker. I'm more than happy to speak with you.

The intent of the bill is noble. It raises many of the issues that child advocates support. Our primary interest is the interests of the child. Grandparents are in the best interests of the child. The biological link is implicit in the bill. We support that. Clearly, grandparents should be acknowledged, that they can play a significant role in the healthy level of a child's development. If the courts are dealing with this matter, in many instances there's been a division within the family. The additional role model, then, of a grandparent can and should be a soothing and stabilizing force in the life of that child. Divorce rates, family breakups, separations continue to rise, and we've never needed this kind of impetus as we do today, because those rates are going up all the time. I'll be supporting the bill because of that very reason, because it signals to the government that this is important, that the Children's Law Reform Act can be improved.

I've got to be honest. This bill, like its predecessors, bills 156 and 124, likely will not come forward as legislation, and there's a very good reason for that. The Attorney General's office has not supported the bills in the past, and we have to ask ourselves why that is. Today I wanted to bring forward amendments that the Attorney General's office could support. It may not be the content of Bill 27 as it's been presented today, but we do have to make the government an offer that it can bring forward in legislation.

I would like to go through those appropriate amendments.

First, under subsection 24(2), we find the term "best interests." In that area we find further clauses (a) through (g). We would add, for example, (l). This would include the preparedness of the applicant to include relatives in the plans proposed for the care and bringing up of the child.

By adding a further subsection to section 24, the definition of "relatives" would be outlined. The definition of "relatives" found in the Child and Family Services Act, subsection 136(1), is highly appropriate. This is most important, as that definition of "relative," when used in reference to a child, means as its first definition the grandparent. We believe that part of the Child and Family Services Act, that definition where it lists grandparent as "relative," should be brought into the Children's Law Reform Act. Then you would find the word "grandparents" listed, and that is what grandparents are looking for. It does continue with great-uncle, great-aunt, uncle or aunt, whether by blood, marriage or adoption. To this we would also add siblings, because there are instances where there are older siblings in the families involved, and whether it's by virtue of death of the parents etc, those older siblings too would become important.

May I say that this improvement to the act puts the onus on the parents to outline what the continued contact with the grandparents will be. This improvement allows the grandparents inclusion in access to the grandchild without having to access the courts and being forced to pay the associated costs. There are so many instances where that has happened.

These recommended changes, as outlined here, are in keeping with legislation a government can bring forward. Bill 27, as it's presented today, is not manageable in its widest application, and it is because of this that previous bills, Bill 156 and Bill 124, have not come forward, so neither will Bill 27. We must make the government an offer that can be brought in legislation today.

The Attorney General's office is required to look at the widest application of the bill. I'd like to offer to the Attorney General — and I know he is watching the debate with interest today — that we feel the debate today is required. He must know that all members of the House will be supportive and that it is an important issue. Then he must look at the widest application of the bill as presented, see that like its predecessors it was not manageable, and look at what he could possibly bring forward. I feel that what we're offering as a Liberal caucus are amendments that can be brought forward. To the Attorney General I say, please look closely at the Hansard. I'll be submitting to you my speech verbatim so you can look at amendments that are plausible for government.

I believe it is a real solution and one the grandparents indeed are looking for, that (a) the best interests of the child are maintained, and (b) the interests of grandparents are enshrined in the Children's Law Reform Act where grandparents are included in cases of separation of the parents without forcing grandparents to access the courts to continue to be a beneficial and stabilizing force in the life of a child.

To the member for Etobicoke-Rexdale, I trust it will pass today so that your government will move to bring forward legislation that will truly benefit grandchildren and certainly grandparents.

1120

Mr Gilles Bisson (Cochrane South): In general, I support what the member is trying to do with the bill. As was pointed out earlier, under the Peterson government and under the Rae government, private members' bills did come forward basically saying the same thing this bill says. As was the case in those debates, most members of this assembly, if not all, will probably vote in favour of the general principle of the bill; that is, everybody believes a family consists not only of mother and father, those relationships, but also the grandparents as a very important factor in the raising of the child so the boy or girl is able to understand who the family is, where the family comes from, what the connections are in terms of all the other aunts and uncles and grandparents. I think that's very important, as all other members do, when it comes to the raising of children.

Unfortunately, Bill 27, I would just caution, as was pointed out earlier, is basically the same format brought forward at the time Ian Scott was the Attorney General. Ian Scott would not support the bill as Attorney General because he pointed out correctly then that there were some definite problems in how this legislation is written, that in some cases might actually add to the acrimony you find in custody battles when parents separate.

It was the same argument when Marion Boyd was the Attorney General under our government and a private member's bill came forward. I remember the discussions at caucus where members of our caucus generally supported what the individual member was trying to do, saw it as being a very important direction to take, but unfortunately the bill was not amended by the member to take into account the issues our Attorney General had raised, the same as the prior Attorney General, Ian Scott.

We're back where we were eight or nine years ago, right back to square one again. I suggest that the member take heed of the comments made by the member for Windsor-Sandwich. I'm not going to repeat them. I think she made the points fairly well about some of the amendments needed.

Take a look, for example, at subsection 1(2.1). It reads, "A person who has custody of a child shall not unreasonably place obstacles to personal relations between the child and the child's grandparents." That's fairly wide open. In some cases there may be very good reasons for protecting the child, that that is not to happen. The way this reads, it says it doesn't matter, that all grandparents will have access to the child no matter what.

There may be some cases out there — I agree they're not the majority of cases, but there are some cases out there — where one of the parents, or both, or the grandparents shouldn't have access. What you're doing here is setting in legislation rights and privileges for the grandparents that do not exist under the current law for the parents themselves, the estranged parent, be it the father or the mother.

I think this language is a bit wide to be using. We should say what you did under subsection (2), "in the

best interests of the child." With that, the judge could look at the case and say that as in 90% of cases, probably even higher than that, there's not a big problem with the grandparents, but in the cases where there may be — I'm reluctant to get into individual cases, but as the member for Cochrane South, I can recall at least two or three occasions where the mother of a child has come into my office to complain about the way the child was being set against her by the grandparents at the request of the estranged husband. There were games being played. The father of the children, who didn't have access for very good reasons in a case I remember — I don't want to repeat them in this Legislature; they were horrible enough when I had to hear them — was prodding his parents to take the child away from the mother for visitation so he could come around by the back door, as it were, to visit the child. Clearly that would not have been in the child's best interests, and when the parents and grandparents went to court to get access, the judge rightfully didn't give access to the child in that case because it wouldn't have been in the best interests.

I want to say for those people watching that the reality is that the vast majority of grandparents are caring, are nurturing, are part of the family and are very necessary for the raising of the children. In my case, in my family, the grandparents on my wife's side and my parents on my side played a very large role and still do when it comes to the raising of our children. In fact, my eldest daughter is 19 years old and probably has a stronger relationship with her grandparents than a lot of other children, and that's very important to her. I recognize this is what the member is trying to do, to make sure that every other child out there who, for whatever reason, finds themselves in a situation where the parents have separated, has access to the grandparents.

But I say again, this is really opening up the legislation to some very difficult situations that we may end up putting children in. Again, under subsection (2), in making an order respecting custody of access to a child, at least in that particular area you've covered off the "best interest" portion and I at least see that you've tried to do that.

I just will end on this note and say I will vote in favour of the legislation, but I want the member sponsoring this bill to know, that I have some very, very grave concerns as to how the legislation is written up. I think what you need to do at the very minimum is the Attorney General must get involved. The Attorney General should be talking to the former Attorney General here. Marion Boyd has a lot of experience in this particular issue, and Ian Scott I saw was in the assembly a couple of weeks ago, and talk to the people at the ministry to make sure that this bill, if it does go forward and it is passed, in the end will be for the best interests of the child and not just the way that it's written now.

I would guess that if the bill stays the way it is, it will never see third reading. There is no way that the Attorney General will allow this to get to third reading the way it is written now. On that, I thank you very much for the time to debate.

Mr David Tilson (Dufferin-Peel): Obviously, as the various members have pointed out, the numbers of times

that this issue has been raised in the House over the years, it's been a very controversial bill. I quite frankly will be speaking against the bill.

The rule that currently exists in the province of Ontario is, what is in the best interests of the child, not what is in the best interests of the grandparents or anyone else. As the member for Windsor-Sandwich suggested, perhaps it should be opened up to other areas. It should be opened up to aunts and uncles and other members of the family who may have similar rights.

I can tell you that anyone who has been personally involved in a matrimonial battle or any solicitor who has advised and participated in family law proceedings, the battles over children and the tugs of war involving children are just dreadful, and that's just involving a man and a woman. I can tell you that with grandparents, we have two more sets of people who would be part of that tug of war, possibly in different directions. The battles will become unbelievable.

If all of you grey-haired people, of whom I am one, think back to when you were younger and realize the influence that grandparents could have in such applications, when the sole jurisdiction should be yours, you might have second thoughts. I suggest that you go back to those days, particularly the grey-haired people who are thinking of this situation.

I understand some of the examples that have been given by my friend from Etobicoke-Rexdale, although I will tell you that under the present law, the Children's Law Reform Act, any person, absolutely any person can apply for custody or access. "Any person" has been defined by the courts to include grandparents, so there are no legal obstacles to applications by grandparents. Once grandparents apply for custody or access, they are entitled to all the same considerations that a parent is entitled to. That's the law now. For example, the court would be required to consider the love, affection and emotional ties between the child and the grandparent and would be required to consider the child's views and preferences. All of those things exist in the law now, so this isn't something new that is required.

The federal Divorce Act and the legislation in other provinces do impose some barriers on applications by grandparents and other parties, but Ontario's law clearly does not impose now any obstacles with respect to grandparents' access. No matter who the applicant, the merits of the application are to be determined solely according to the best interests of the child — and I emphasize, the best interests of the child. That is what we all should be thinking of when we're voting on this particular legislation: not the rights of grandparents, not the rights of parents, not the rights of aunts and uncles or cousins, but the best interests of the child. If there has been a relationship that has developed over the years with grandparents, the court will take that into consideration. I can assure you that is done now. I strongly believe in the system that we have now, and if a judge makes an error, there's a right of appeal if a judge has erred in not considering certain facts or the law.

1130

There was a federal private member's bill to include grandparents' rights in the Divorce Act, and this was

defeated, as I understand, in 1995. The Canadian Bar Association, the national family law section, expressed concerns about increasing grandparents' rights. Singling out grandparents for special mention is not supported by any convincing social science evidence that access to grandparents is more important to the child than access to other persons who have a significant relationship with the child, whether they be aunts and uncles, whether they be godparents, whether they be simply friends. That evidence has not been produced.

The proposed bill, I would submit, goes far beyond the current law by imposing a duty on parents of an intact family to facilitate access for grandparents. I would submit that this is a marked departure from Canadian common law principles with respect to the autonomy of families to determine the best interests of the children and would likely promote greater conflict between parents and grandparents. There is judicial evidence that grandparents have attempted to use access as a means of interfering in their own child's marriage that the grandparents disapproved of in the first place, and hence I get back to my opening comments of those terrible, terrible tugs of war where innocent children are used as a means to getting at the other parent, and indeed if the grandparents get into the picture I shudder, as some members have referred to me privately, at the quagmire that could be created in the future.

Access enforcement is one of the most integral problems in family law, and extending grandparents access rights will not help them enforce such orders.

Perhaps a few comments with respect to some of the sections. Subsection 20(2.1) would direct parents not to place unreasonable obstacles to relationships between the child and the child's grandparents. That's one of the sections that is in the bill. This would apply to intact families where there is no problem and therefore would be a marked departure from Canadian law which respects the autonomy of the family, of the parents, to determine the best interests of children while they're in their custody.

So if you believe in the family, you believe in the parents having jurisdiction over their own children, then I quite frankly don't think you should be supporting this bill. There is no precedent for such a provision. There would be much litigation to determine what was a reasonable obstacle.

Since the Children's Law Reform Act applies equally to children born in and outside marriage, this provision would apply to require a single parent to provide access to the parents of the other biological parent, even though the other parent had never lived with the child. That's a problem that I think we need to consider before we support this legislation.

I have other comments to make, but I know there are other members of my caucus who would like to speak on this legislation. I thank you very much for letting me participate in this debate.

Mr Rick Bartolucci (Sudbury): I stand in support of this bill. This bill is a significant bill. It is extremely important in nature. When I was doing a little research on this, what was most upsetting was that this bill has been presented twice before — 156 and 124 — and both times

it went nowhere. It may have not gone anywhere because of what the member for Dufferin-Peel says: because of the legal aspects of it. Certainly that has to be considered when passing new legislation. But, you know, it's the identical bill brought back for a third time. You would have thought that after the first time we would have learned we have to make recommendations or alterations to the bill. Certainly grandparents and parents and children would understand that after the second time we would have learned that we have to make some alterations to the bill so that we can approve this.

Here it is a third time. Let us hope that on this third occasion this bill will pass in the assembly this morning and then it will go to committee of the whole. Then it will be the job of the government to bring this bill back, taking into consideration the very, very important legal aspects that the member for Dufferin-Peel has suggested, but also making sure that the intent of the motion by the member for Etobicoke-Rexdale is enshrined in law.

I want to just digress a little bit and go back to my years in the classroom to give you a few experiences in a very general way why this legislation is so important. I was speaking to a group of students from Killarney this morning from St Joseph school who were in the gallery earlier on, and at the time a grandparent came up looking for the delegation. I believe his name was Mr Hill from Scarborough. The principal of the school and I talked a little bit as he went down to find the delegation. The secure feeling he had and the excitement he had about being here today to listen to the debate — let me tell you, after 30 years in the classroom and after planning 30 Christmas concerts and after planning 30 variety shows and after planning countless events where parents and grandparents are involved, there is nothing — nothing — that can be more pleasing to the eye and more gratifying to the heart than to see the beauty and the excitement of the interaction between a grandparent and a grandchild.

If you look at celebrating, for example, May 30 as Croatian Independence Day, you see dida and baba in the audience at the school concert, and that sense of security for that child is beautiful, and that sense of gratification for that grandparent is beautiful. If you're looking at the Christmas concerts and you see the *mémères* and *pépères* and the *nonnos* and the *nonnas* coming to the concerts and you see that very, very strong bond, within that bond is the feeling of security and love. Let me tell you, Mr Speaker, some children, many children, too many children, need that extra support, need that extra encouragement of being able to see grandpa and grandma at the Christmas concert, in the classroom talking to their teachers. It provides that parent's child and that grandparent's grandchild with the opportunity to feel good about themselves. That's the intent of this legislation by and large.

I think the member for Etobicoke-Rexdale wants to ensure that grandparents can take an active role in ensuring that the development of the child is total, that the development of the child is very, very positive. There's nothing wrong — and let me differ a little bit with the member for Dufferin-Peel in that respect — with grandparents having rights and there's nothing wrong with non-custodial parents having rights and there's

nothing wrong with aunts and uncles having rights. If it's in the best interests of the child, then how and why should we get bogged down in the bureaucracy of government that doesn't allow this to happen? Surely this House and surely our lawmakers are able to come together. This shouldn't have to come back a fourth time. Surely we can present amendments to this legislation to ensure the Attorney General can accept the wording of the bill.

1140

Isn't it sad for us to have to be worried about debating language, about debating the way words are interpreted, when their very actions, if implemented, would determine that children feel better about themselves, that children feel more secure, that children in fact feel proud of themselves because we have *dido* and *baba*, *nonno* and *nonna*, *mémère* and *pépère* in the audience, grandma and grandpa watching me, being proud that I am important not only to my fellow classmates and not only to my teacher, who tries all the time to make children feel important, but also to my grandparent whom I love and whom I worship and whom I look up to.

That person can take a very, very active role, be it in a very minor way to us, by their attendance at a Christmas concert, but let me tell you, to the child it is major; it is a significant moment of time. It is a significant opportunity for that child to say, "I am loved."

I think, simply put, the member for Etobicoke-Rexdale wants to ensure that this happens and that it happens on a continuing basis and that it happens so that the rights of grandparents are there, so that the rights of non-custodial parents are there, but more importantly, and I will use the words again from the member for Dufferin-Peel because they are important, that the best interests of the child are always the determining factor. There are going to be occasions when that isn't going to be able to happen because the best interests of children will not be served. However, they are so few and far between that we shouldn't be concerned about semantics so that we can't pass legislation a third time because we can't get the wording straight. What's wrong with the wording, "I love my grandchild"?

Mr Tony Silipo (Dovercourt): I'm pleased to have a chance to speak very briefly to this bill and indicate the reasons why I'm going to be supporting this particular bill.

I know there are concerns and I know that some of my colleagues in my caucus have expressed some and will express some more. I have to say that I share some of the concerns that I think we've heard from all around so far in the debate, and I have to confess to not having been able to be here for most of the earlier part of the debate, but I know some of those concerns because this is not the first time this particular issue and a bill very similar to this, if not identical, has been before this place.

We certainly saw the former member for Oakwood, Mr Rizzo, introduce a bill very similar to this, I believe, in the last Parliament. It did pass, as I recall, second reading. It didn't proceed from there. I hope that if this bill does pass, and I want to indicate, as I said, my support for it, that it will get a chance to go to committee where

some of the issues and concerns that people have can be addressed.

I know there are those who believe this approach puts in a particular way the emphasis on grandparents' rights as opposed to the rights of children. All of us, I hope, would be concerned primarily with what is in the best interests of children in determining questions of custody, in determining questions of access. That remains, as I read this bill, the primary focus and should remain the primary focus, while at the same time acknowledging, as this bill tries to do, that grandparents have an important role to play in a continuing relationship with children, regardless of family breakdown and marriage breakdown between the parents. That relationship should continue to be nourished and upheld where it is in the best interests of the child, that continuing to be the main criterion. Because that's an issue worth pursuing, I want to support this bill at second reading stage. I hope that if it passes it goes to committee, where we can iron out some concerns and problems people have with the way this is being approached.

Mr Carl DeFaria (Mississauga East): It is my privilege to rise in the House today to speak on the proposed legislation by my colleague the member for Etobicoke-Rexdale. The issue before us today is a very important one. Some may say that in emphasizing the importance of a child's relationship with his grandparents, as this legislation does, we are trying to interfere with the direct relationship between parents and children. Some may even say we are trying to give grandparents power or control over children that only parents may rightly have.

The role of grandparents has been predominant throughout most of history and is still in many parts of the world. Before the Industrial Revolution in the 19th century, extended families performed functions that today have been taken over by other institutions such as schools, businesses and churches.

No one can deny that with the decline of the predominance of families in the lives of our children came a decay in our social fabric and an increase in crime and other social problems. Children need a sense of belonging, and that sense of belonging comes from contact with their grandparents and other extended family members.

From the perspective of grandparents, this bill speaks to the fundamental right to a relationship with their grandchildren. They do, after all, have a biological tie to them. There is no reason why grandparents should not be able to maintain a steady relationship with their grandchildren, especially in the case of divorce or separation of parents.

Clearly defined rules should be able to keep a check on the balance of the grandparents' relationship with their grandchildren. For example, in Quebec the law will deny grandparents access to grandchildren only when a sound reason for such denial is brought forward and proved in court. This bill proposed by the member for Etobicoke-Rexdale also restricts contact when it is not in the best interests of the child. Looking at the bill, you will see that contact is only to be allowed when it is consistent with the best interests of the child.

As someone who practised in that field, as a lawyer who practised under the previous children's welfare act who was involved with the office of the official guardian when the child representation program was introduced over a decade ago who has been on that panel representing children for at least 10 years, I tell you there are problems with the present legislation. Some people will argue that the present law is fine and should not be amended. Unfortunately, under the existing act family relationships in many instances become irrevocably severed, to the eventual detriment of the family fabric, and that is not in the best interests of the child.

In the unfortunate circumstance of separation and family breakup, there is little doubt that it is in the children's best interests to attempt to minimize the disruption in their lives. The unfortunate circumstance of separation and family breakup need not necessarily lead to a permanent disconnection of all family members involved: brothers, sisters, uncles, aunts and grandparents.

I respectfully submit to all members of this House that unless a particular family member is the cause of the family breakup, I can't think of too many situations in a family breakup where I would like to see contact severed between a child and any of his or her extended family members. I think that in a family breakup children need more, not less contact with extended family members.

In my book, grandparents are at the top of the class of extended family members. That's why I support this bill, encourage all members to vote for it and allow it to go for further scrutiny to an appropriate committee such as the standing committee on administration of justice.

1150

Mrs Marion Boyd (London Centre): One thing about this bill, as it comes forward to this House in the same form time after time, is that I don't think there's any disagreement here among us, that we have concerns around the issues of grandparents who are separated from children they love. I don't think any of us have any concerns about expressing very strongly our own belief that our children thrive and prosper better when they have a good sense of their roots and a fine relationship with their grandparents.

Those of us who live in extended families make great efforts to ensure that those connections are maintained. When we hear language such as that used by my friend from Sudbury or the last speaker, it plucks at our heart-strings. We all know how we would feel if we have or have had a good relationship with our grandparents and how it would not be in our best interests to be separated from those grandparents.

I suspect there are those in this room, and certainly many hundreds of thousands in Ontario, where that is not the case, where the dispute that arises is because the relationship is not like that. It is only where there is a dispute that we're talking about needing legal means to ensure rights.

The member from Sudbury asked why this bill keeps coming forward time after time, and the answer from anyone who has worked in the Ministry of the Attorney General or has been the minister has to say because it is unworkable, because it widens things so far that the extraordinary conflict that would arise from these compet-

ing rights that would then be set in place is enormous and would never be in the best interests of families and children, particularly subsection 1(2.1) which, as my friend from Dufferin-Peel pointed out, very clearly creates a huge quagmire into which we would simply disappear. Our legal aid resources, our court resources, our child guardian resources, all those resources could quickly become eaten up in these disputes.

If the last speaker's suggestion around there being a way people could prove in the opposite way in court that there's some impediment to that, it might work, but time after time we get this configuration of the bill, and it will be turned back again and again because it is unworkable in this form.

I join my colleagues in the Liberal Party in saying that if we really agree with this, we should work on seeing what might be possible in terms of dispute resolution, in terms of ways we can encourage, through supervised access programs and that kind of means, ways in which these disputes can resolve themselves in other ways. I would not agree with my colleague the member for Windsor-Sandwich that it would ever be appropriate to give this a means that would happen outside the court, because it is the court that has to determine what is in the best interests of children.

It is terribly tragic when, as part of a dispute between two adult individuals who have produced children, they separate the parents from their children. People here with us today have expressed that tragedy again and again. I don't think any of us are anything but sympathetic to that issue.

The problem we have is that if we inject the rights of grandparents into this picture, we have resulting complications that simply make the problem between parents and children and those parents' parents far more difficult and far more time-consuming. It is extraordinarily difficult for us. With this particular configuration of a bill, we recognize how this would draw out the currently far too lengthy custody and access cases which, I would remind people, happen only in a minority of cases. In most cases, about 85% of cases, custody and access issues can be resolved relatively amicably. But 15% of cases take up enormous amounts of our resources in terms of our courts, legal aid and enormous personal resources for families. You get into not just a two-way dispute but possibly a six-way dispute if you start multiplying the numbers, and then with this "or any other person" in this bill the complications are enormous.

I would urge the member for Etobicoke-Rexdale to accept the fact that most of us here really appreciate what he is trying to do and what his concerns are and encourage him to work with his government to come up with some way in which there can be a greater recognition for grandparents' rights within the construct of the best interests of the child, rather than merely bringing forward a bill that for very good reason has been turned away now by three different governments. That is the point here. If it were workable, if it were possible with this bill, because we all have such feeling for the needs of those who are embroiled in this kind of dispute, it would have passed before now. It simply isn't practical, and bringing

the same bill forward again and again is not the answer to the problem.

Mr Frank Klees (York-Mackenzie): I'm pleased to rise on this bill and I want to commend my colleague from Etobicoke-Rexdale for bringing this forward.

I want to correct the record, however. Previous members have spoken about the fact that this bill has been introduced twice before. Thanks to my executive assistant. The previous Bill 201 was introduced in February 1987 by the Conservative justice critic. It spoke precisely to this issue and shows that this House has been very concerned about this issue for some time. Being new to this Legislature, I can tell you that I'm somewhat frustrated that an issue that is of such importance to so many people continues to go around in circles, as the member for Sudbury had indicated.

Surely this should not be an issue that would divide us. Surely this shouldn't be an issue that those of us in this place couldn't figure out some practical way to ensure that access and a relationship between grandparents and their grandchildren can be accommodated. That's why we're here. It's a challenge we should step up to. Whether it's this identical bill that we can make work, or whether it's a bill that is brought in by the Attorney General, something should be done to ensure that the family in this province can be strengthened, that children and grandchildren can have the kind of relationship that they deserve, that grandparents want to have with their grandchildren.

Surely family is the foundation of our society and the degree of the quality of relationship between the individual members of that family will determine the strength ultimately of our society. At a time when families are breaking up, I believe it's imperative that this Legislature take whatever steps are necessary to ensure that those family ties are strengthened and maintained.

The Acting Speaker: The member for Etobicoke-Rexdale, you have two minutes to reply.

Mr Hastings: I'd like to thank all the members of the House for their general support of the principle of this bill and to extend to them my courtesy and appreciation for their remarks.

The one thing I want to reiterate in the limited time I have is that whatever shape or form this particular bill comes back in, in terms of the principle of protecting and enhancing the importance of children in their relationships to their families, there is one clear, obvious need out there, and that is that the provincial family court system — much as the players in it keep insisting that everything is fine and that grandparents or anybody else have access or perhaps even custody awarded, if you look at the statistics, I would suspect and know, from talking with various folks who have been involved in this particular matter, that judges usually award, 99.9999%, the custody and access of children to their parents, and it goes no further.

What is important about this particular bill is the principle that it would have provincial family court judges look at the principle of the relationship. It nowhere, in any shape or form, points out the right of grandparents in terms of having a specific legal legitimate status before the courts. What it does say is to have

family court justices look at this relationship. Instead of ending up where they can award access or custody to other players in the field, they end up having them go to children's aid or to foster homes. That, to me, is not a very suitable policy alternative. That's why I have suggested this one.

CHILDREN'S BILL OF RIGHTS

The Acting Speaker (Mr Gilles E. Morin): We will deal first with ballot item number 33, standing in the name of Mr Cooke. If any members are opposed to a vote on this ballot item, will they please rise.

Mr Cooke has moved private member's resolution number 20. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

CHILDREN'S LAW REFORM AMENDMENT ACT, 1995 LOI DE 1995 MODIFIANT LA LOI PORTANT RÉFORME DU DROIT DE L'ENFANCE

The Acting Speaker (Mr Gilles E. Morin): We'll now deal with ballot item number 34, standing in the name of Mr Hastings. If any members are opposed to voting on this ballot item, will they please rise.

Mr Hastings has moved second reading of Bill 27, An Act to amend the Children's Law Reform Act. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

Will it be referred to the committee of the whole House? It will be referred to committee of the whole.

Call in the members; this will be a five-minute bell.

The division bells rang from 1203 to 1208.

CHILDREN'S BILL OF RIGHTS

The Acting Speaker (Mr Gilles E. Morin): Mr Cooke has moved private member's notice of motion number 20. All those in favour of the motion will please rise and remain standing.

Ayes

Arnott, Ted	Fox, Gary	O'Toole, John
Baird, John R.	Froese, Tom	Parker, John L.
Barrett, Toby	Galt, Doug	Pettit, Trevor
Bartolucci, Rick	Grandmaître, Bernard	Pupatello, Sandra
Bisson, Gilles	Guzzo, Garry J.	Rollins, E.J. Douglas
Boyd, Marion	Hampton, Howard	Ruprecht, Tony
Brown, Michael A.	Hastings, John	Shea, Derwyn
Castrilli, Annamarie	Jordan, Leo	Silipo, Tony
Churley, Marilyn	Kennedy, Gerard	Smith, Bruce
Cooke, David S.	Klees, Frank	Stockwell, Chris
Cordiano, Joseph	Lalonde, Jean-Marc	Turnbull, David
DeFaria, Carl	Lankin, Frances	Wettlaufer, Wayne
Doyle, Ed	Laughren, Floyd	Wildman, Bud

Ecker, Janet
Fisher, Barbara
Ford, Douglas B.

Marchese, Rosario
Martiniuk, Gerry
Munro, Julia

Wood, Bob

The Acting Speaker: All those opposed to Mr Cooke's resolution will please rise and remain standing until your names are called.

Nays

Carroll, Jack
Hudak, Tim

Johns, Helen
Maves, Bart

Sheehan, Frank
Tilson, David

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 46; the nays are 6.

The Acting Speaker: I declare the motion carried.

All matters relating to private members' business having been debated, I will now leave the chair and the House will resume at 1:30 of the clock.

The House recessed from 1212 to 1333.

MEMBERS' STATEMENTS

FAMILY SUPPORT OFFICES

Mr Michael Gravelle (Port Arthur): I want to use this opportunity to make a final plea to the Attorney General to keep open the regional family support plan offices across the province, including the one in Thunder Bay.

I am willing to accept that the minister is sincere in his desire to have a more efficient system put in place that will return more money to the children, who need and deserve it, but he needs to recognize that his recent statements in the House about beefing up the number of enforcement officers and having more staff who can directly deal with clients can only be accomplished by using the regional support staff and giving them the resources to do the job.

The minister acknowledges that the 1-800 line presently in place does not work. People simply cannot get through. Putting a few more people on the line will not make the necessary difference. However, if these tools were given to the regional offices, compliance would dramatically increase. The minister's decision to criticize the operation of the regional offices as a way of justifying a centralization of the system is unfair, inaccurate and an unwarranted attack on remarkably dedicated people.

The facts are clear. Though there has been no increase in staff over the past four years, net receipts have risen from \$166 million in 1991-92 to \$420 million in 1995-96, an increase of over 250%.

The system can improve, Minister, if you recognize that it is the regional offices and their staff that are the key to increasing compliance. By moving to a centralized 1-800 number you are simply dooming the system to failure.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton Centre): As we sit here today there are 30 workers sitting in at the Ontario Ministry of Labour in protest over this govern-

ment's labour agenda, in particular its health and safety agenda.

Workers and their unions in this province have watched this government dismantle health and safety laws, dismantle health and safety agencies and attack the labour movement under Bill 7. Now we see them attacking under Bill 49, where they misled the leadership of the labour movement, telling them there was nothing to worry about in Bill 49.

We see protests happening in London, Hamilton and Kitchener. They will continue in Peterborough, Toronto and throughout the entire mandate of this government, because contrary to what this government may think, workers and their unions and those who fight for rights of injured workers are not going to stand back and allow this government to continue to dismantle everything that means something to workers in terms of their rights, in particular, health and safety as it affects the workplace.

When we saw Bill 49 come forward with a devastating attack on the basic standards of employment known as the workers' bill of rights, we knew clearly that Bill 7 and Bill 26 were not aberrations. That's the way this government operates. The only thing the labour movement has left to do is to fight back, and fight back they will.

That's why those workers are occupying that office today in the Ministry of Labour. That's why hundreds of auto workers marched in support of what they're doing from the CAW political action convention down at the Sheraton Centre. I assure this government that you will see more and more demonstrations of fighting back because the labour movement is not going to stand back and allow you to dismantle all the rights that workers have gained over the decades.

ANNIVERSARY OF D-DAY

Mr Jim Brown (Scarborough West): On this 52nd anniversary of D-Day, I would like to recognize and honour the sacrifices made in the fight for our freedom.

June 6 marks one of the most momentous 24 hours of the 20th century. Canadian ships and landing craft manned by about 10,000 members of the Royal Canadian Navy carried or escorted the 14,000 assault troops who landed on Juno Beach. The aircraft, numbering 10,000, formed a stream more than 100 miles long. Canada played a very critical role. Our fighting brigades in Normandy had an incredible casualty toll of 18,000 killed.

Veterans embody certain values that are rarely seen today. Duty, responsibility, respect and pride were qualities exhibited selflessly and with honour. They were prepared to give their lives for the common good so that others would be free — free from darkness and oppression.

I feel it is important, as we reflect on this significant day in our history, to not forget the pain and suffering of the mothers, wives, children and girlfriends of the men who died. I ask all Ontarians and Canadians today to remember these sacrifices, to remember the inhumanity of the conflict, to remember the courage of both civilians and soldiers, to remember the brightness of their souls and to remember that from the darkness in which they were immersed came our light.

AIDS TREATMENT

Mrs Elinor Caplan (Oriole): Here is another example of the Minister of Health Americanizing Ontario health care by trying to micromanage Ontario's health care. He's putting costs ahead of appropriate care. The Ministry of Health is starting to look like just another US insurance company.

I'm referring to the Ministry of Health refusing to allow the doctors, the experts who treat people with HIV and AIDS, to prescribe the drugs they feel are necessary for their patients to survive. The Ministry of Health, not patients and their physicians, is taking over the role of medication prescribing.

The treatment of HIV and AIDS is a very difficult job and the Ministry of Health, instead of helping doctors, is making it more difficult. Medical technology is changing rapidly and new drugs and treatments for HIV and AIDS are being discovered, thank goodness. By freezing the list and requiring section 8 applications for everything under the Ontario Drug Benefit Act, you are making it extremely difficult for patients to receive the drugs they need in a timely manner to be treated for this deadly disease.

I would say to the Minister of Health, please listen to the experts. Listen to the people who provide the care. Don't let your ministry for economic reasons decide who should get what treatment and when. People living with HIV and AIDS have difficult enough lives. Don't make it more difficult for them, Minister. Change your policy and help these people.

FOREST INDUSTRY

Mr Gilles Bisson (Cochrane South): For many years, the people of northern Ontario have understood the important role government can play when it comes to economic development, not only in northern Ontario but across the province of Ontario.

We have seen in northern Ontario under the previous NDP government record levels of investment in regard to the softwood industry, with the construction of brand-new mills in places like Timmins and all over northern Ontario, amounting to seven or eight brand-new mills being built in the northeastern and northwestern parts of the province over a period of about a year and a half to two years, dating back to 1993.

All this was possible because the government of the day understood that government can play a positive role when it comes to economic development. Government itself is not the one that brings the capital, but government can be the catalyst in making sure that capital comes to places like Timmins and goes to places like Kapuskasing or Sault Ste Marie.

I'm sorry to say that a lot of that activity we've seen under the NDP government that got started under the hardwood initiative and others is now basically going for naught. Once those projects are built and the construction is done, we're not seeing any new projects being announced anywhere in northern Ontario when it comes to the private sector investing hard-earned, needed dollars into northern Ontario in developing our economy.

I say to this government that you have a responsibility. You have a responsibility as a government that speaks for

all Ontarians, including northerners, to play your role and take your responsibility in making sure you work with us, the people of northern Ontario, to develop our economy, and we want you at the table. To say you'll leave it strictly to market forces and government to withdraw from this is totally wrong and ludicrous.

1340

DARTS TOURNAMENT

Mr Jerry J. Ouellette (Oshawa): It's with great pleasure that I rise to address the House today. Typically, Oshawa is known as the Motor City or the City that Motivates Canada. But in today's reference, the motor city is known for something else to the thousands of registrants who will converge on Oshawa for the Oshawa and District Dart League's 17th Annual Motor City Open Darts Tournament.

From Friday to Sunday this weekend, Oshawa hosts Canada's largest dart tournament at the Donovan Sports Complex and we welcome players from all over Ontario, Quebec, Saskatchewan, Newfoundland, many of the US states and as far away as England.

I would like to also add that it was two years ago in England that an Oshawa native by the name of John Part took the world darting title away from the English for the first time in history.

This tournament is not only a boost to the economy of the city of Oshawa, but it puts Oshawa in the forefront as being a host city that goes above and beyond the call to make guests welcome. I invite all members and all Ontarians to attend Canada's largest annual dart tournament this weekend in the City that Motivates Canada — Oshawa.

NEWSPAPER OWNERSHIP

Mr James J. Bradley (St Catharines): Democracy was not well served, the public interest was not well served, and healthy business competition was not well served this past week with the announcement that Conrad Black would be obtaining control of 58 of 104 daily newspapers in Canada, many of them in Ontario.

Perhaps John Miller of the school of journalism at Ryerson University described the events best when he said:

"The month of May has turned the Canadian newspaper industry upside down: Owners have dealt hundred-year-old papers like playing cards. Publishers and editors have been fired. And cost-cutting is threatening the existence of one of our most important national news institutions, the Canadian press.

"When the dust cleared, one man, Conrad Black, controlled more daily papers than any person in this country's history. And it happened almost before we knew it, because newspaper ownership in Canada has become so concentrated — some would say saturated — that all of the 34 properties he bought changed hands privately in boardrooms without the bother of competitive bidding and with no possibility the new owners will be people who actually live in the communities being served."

Employees of the newspapers that have been affected by Hollinger have received their pink slips, the firing notices have been issued, and good newspaper employees are now out on the street. Ultimately, the reading public will be the losers as increased profit becomes the main focus of the operation of the majority of this nation's newspapers.

ANNIVERSARY OF CHIN RADIO-TV

Mr Tony Silipo (Dovercourt): I'm pleased to rise today to pay tribute to radio station CHIN as it celebrates 30 years of broadcasting. It was indeed 30 years ago today, on June 6, 1966, that CHIN Radio first began broadcasting to the diverse cultural communities of southern Ontario.

Today, that broadcast capacity has grown to include programs in over 30 different languages. Of course, one cannot speak about radio station CHIN without speaking and focusing on its founder and current president, Johnny Lombardi. It was Johnny Lombardi who began radio station CHIN and it is he who at 80 years young continues to be the driving force behind this radio station, which has since expanded its activities to also include programming in television.

Mr Lombardi's contribution has been recognized in a number of ways, including having received the Order of Canada, the Order of Ontario, the Order of the Official Knight of the Republic of Italy, as well as the Order of Merit by the National Congress of Italian Canadians, Toronto district. But above all of those and many other awards that Johnny has been awarded is the recognition that in fact what he has stood for and what he represents through radio station CHIN is the expression of many ethnocultural communities that have grown over the years to contribute to the life of this province and through radio station CHIN he has provided an avenue for that expression to be heard throughout the province.

FORT ERIE PROGRESSIVE CONSERVATIVE ASSOCIATION OF WOMEN

Mr Tim Hudak (Niagara South): I am pleased to rise in the House today as the member for Niagara South to welcome the Fort Erie Progressive Conservative Association of Women to Queen's Park. Regardless of party affiliation, the members in this House are indebted to the hardworking volunteers who support us, not just during election campaigns, but throughout our mandate in our efforts to represent our constituents.

I believe I am particularly fortunate to have the Fort Erie PC women's association actively supporting my endeavours in Niagara South.

The association was founded in 1939 and is currently the oldest continuing women's PC association in the province of Ontario. A few of the current members are charter members of the association, proudly dedicating a lifetime to their good causes. These women represent trailblazers in women's political activism in Niagara and consequently have attracted many other strong women to their association, continuing the tradition of activism, political discourse and tireless community work.

It was about a year ago today that they were pounding the pavement, hammering in signs, working the phones and computers and devising strategy, dedicating countless hours to advance the principles held firmly in their hearts and minds.

Nearly a year to the day, it brings me great pleasure to welcome the Progressive Conservative Association of Women to Queen's Park, the shining city at the end of a long road.

STATEMENTS BY THE MINISTRY AND RESPONSES

YOUNG OFFENDERS

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): I am rising today to provide members of the Legislature with information about the allegations that have been raised about the treatment of young offenders at the Bluewater Youth Centre in the Elgin-Middlesex Detention Centre.

On the afternoon of February 29, 1996, there was an incident at the Bluewater Youth Centre, and 52 youths were transferred at 10 pm to the Elgin-Middlesex Detention Centre and the Niagara Regional Centre.

At the request of my ministry, the office of child and family service advocacy launched an investigation on March 1. The child advocate interviewed all 52 youths involved in the February 29th incident and submitted her report to the ministry on March 9, 1996.

On March 1, a team of four police from the Ontario Provincial Police, west region, also interviewed the youths at the Elgin-Middlesex Detention Centre. Nineteen youths have subsequently been charged.

That same day, an internal ministry investigation was also launched. This investigation has not been completed, although I have been informed that a report will be completed by the end of June.

On May 31, 1996, the office of the Deputy Minister of Correctional Services received a second and separate report from the child advocate that covered the management of the young offenders following their transfer and admission to the Elgin-Middlesex Detention Centre.

After reviewing the report, the correctional services division contacted the London Regional Police Service on May 31. That service has now launched its investigation and Chief Fantino has assigned a team of investigators to this matter.

As well, in order to reassure the families of young offenders, I have asked that the eight young offenders currently in the Elgin-Middlesex Detention Centre be transferred to the Sprucedale facility until this matter is resolved.

Upon the conclusion and receipt of the report of the internal investigation and the conclusion of the London police investigation, I will consider taking further action to deal with any unresolved issues.

Correctional employees are held to a high standard in their behaviour towards offenders in custody. There can be no excuse or tolerance for the use of force beyond that

which is necessary to refrain offenders from injuring themselves.

I am, as I am sure members of the Legislature are, concerned about the matters raised by the child advocate, and we have taken a number of steps to ensure the safety of the young offenders who are in custody under the Ministry of Correctional Services.

ECONOMIC STIMULATION

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): Later today I will be introducing a bill entitled the Tax Credits and Economic Stimulation Act, 1996. This bill implements further key measures of the 1996 budget to restore confidence, create jobs and spur economic growth in Ontario.

Our college and university students are among the greatest strengths of our future economy. We must ensure that they have enhanced employment opportunities to lead productive and independent lives. This bill implements the cooperative education tax credit which I announced in the budget. This refundable tax credit will provide employers with a tax saving equal to 10% of the cost of hiring a student who is participating in a recognized co-op program at an Ontario college or university, up to a maximum of \$1,000 per student.

This legislation will also assist Ontario's film and television industry. This province has become one of the major film production centres in North America, creating skilled jobs for many Ontarians. To ensure that we remain a competitive player in this important industry, this bill implements our budget commitment to provide a film and television tax credit that harmonizes with the federal tax credit introduced last year and targets the benefits to Ontarians.

1350

A large share of Ontario's new jobs have come from new and growing businesses. These businesses need sources of capital from investors who believe in their potential and who are prepared to maintain investments until the potential is fully realized. This bill will implement our commitment to ensure that capital raised by labour-sponsored investment funds is made available to Ontario entrepreneurs and especially to emerging small businesses that are not yet big enough to raise capital in more traditional ways.

There is a new confidence in the province of Ontario. All four credit rating agencies have confirmed Ontario's long-term debt ratings. Yesterday, Dominion Bond Rating Service upgraded Ontario's short-term rating. This is the first time in eight years that Ontario's rating has been upgraded.

Ontario's resale housing market in May reflected the best May sales since 1986. In the first five months, home resales were up 55% compared to the same period last year.

One year ago, the people of Ontario indicated they wanted a new direction for the province of Ontario. The measures in this bill are part of turning the corner to a better future and prosperity for all Ontarians.

YOUNG OFFENDERS

Mr David Ramsay (Timiskaming): I stand in my place today speaking on behalf of the Liberal caucus and I'm sure I express for all members in this House our disappointment and sadness at the events that took place in the Bluewater correctional facility and later on at the Elgin-Middlesex Detention Centre.

In a society such as we have in Ontario in the year 1996 we find it very difficult that incidents such as this go on in our criminal justice system. Like the minister has said, we ask all those involved in the criminal justice system to have the very highest standards in regard to the upholding of justice and how we treat everybody in the system. It's doubly disappointing and saddening when it's our youth who are involved.

As the minister knows, we have in this country a Young Offenders Act that says to young people: "We are going to treat you differently. We're going to treat you in a special manner because we think you have another opportunity to correct your ways before you maybe go on to a path of criminal activity." For this sort of action to happen, especially to our youth offenders, is very troubling.

I have to ask why the minister has chosen today to make this statement on an incident that happened in February. There are allegations that have been made over the last few months, and it's unfortunate that because of a CBC news story and a subsequent article in the Toronto Star in today's edition the minister now finds it timely to make this statement in the House.

The young offenders involved and the parents of those young offenders and all of us who have a great concern in the criminal justice system should have been notified by you sooner. Also, in the same manner, why have you decided only today to remove the eight young offenders from that detention centre and not earlier, when you knew and had these reports weeks ago?

There's much to be learned from this, and all of us are going to be going over Judy Finlay's report. She raises many issues that are of great concern — the use of excessive force, the use of verbal, emotional and physical intimidation and isolation, and the strip searches that went on. We're very concerned about that. In the end, we hope the ministry and the minister will ensure he will put practices in place so that an incident like this will never happen again.

ECONOMIC STIMULATION

Mr Gerry Phillips (Scarborough-Agincourt): I'll respond to the Minister of Finance's statement. The first program he outlined for us has to do with young people. This program they're announcing involves 5,000 young people in a co-op program. The challenge all of us face is that our young people are facing enormous problems right now. All of the young people who are going back to university and college are facing huge increases in tuition. Many are deciding they can't afford it. They can't afford even to borrow the money because of their fear of the enormous debt. The program announced today affects 5,000 young people in the co-op program, but the problems we face are much larger. We see that youth

unemployment continues to be unacceptable, the real unemployment rate among our young people running around 30%. We see that they continue to lose jobs. We see that they continue to have unemployment rates which are totally unacceptable and continuing to rise.

The programs on film development: Clearly that is a growth industry, one that we all want to encourage. It is a unique industry that I think is a terrific industry for Ontario and will support clearly things that help develop that.

On the labour-sponsored venture capital corporations, there are some moves here which I think will encourage and speed up the investment by the labour-sponsored venture capital corporations, which we welcome.

I would just say on the credit ratings that in 1990, the last year of the Liberal government, Ontario had the top credit rating by all four credit rating agencies. All four had Ontario at the highest rate. So we are waiting for the government's programs to restore us to that level. I will say that I think all of the credit rating agencies have indicated their concern that the promised 30% tax cut puts at risk Ontario's opportunity to get back to that highest credit rating for the province. So the true measure of this government will come in the years ahead when what we regard as a fiscally irresponsible program is finally fully implemented.

Ms Frances Lankin (Beaches-Woodbine): In response to the finance minister's statement today, may I indicate that the three specific initiatives that he says will be contained in the bill are ones that our caucus in principle does not have a concern with, and we will wait to see the specific language that's contained in the legislation and respond in detail at that point in time.

But I am concerned that the minister puts it forward and purports it to be part of a major turning point in the province of Ontario. One, I don't think the changes are of that magnitude of import, but more importantly, he couches this in language that we're at a turning point and that confidence is being restored to the province of Ontario. Confidence by whom?

I would say to the minister that perhaps the large corporations and others who have seen themselves insulated from the effects of the recession of the last number of years, who continue to make profits, who will now see greater profits, feel a sense of confidence, or the shareholders who are seeing companies continue to downsize in major ways and to see the bottom line improve for them perhaps have a sense of confidence.

But let me tell you that working families don't have a sense of confidence. Public sector workers who are looking at potential layoffs don't have a sense of confidence. The youth of today who were hoping that the promise of the Tory government for 725,000 jobs was a real promise don't have a sense of confidence.

So I'm not sure who you're talking about, Minister, and particularly that you would make that kind of statement in light of the recent reports we've seen, like the study that was released by the University of Toronto's Institute for Policy Analysis, which shows that when you take the full impact of the cuts you're making in order to finance the tax cut, which is primarily going to benefit the wealthy in this province, you're going to cause a loss

of 172,000 jobs that would otherwise have been created in this economy. The fiscal drag because of the billions of dollars you're taking out of public sector spending more than offsets in a negative way any stimulus that comes from that tax cut.

The Premier has on many occasions said that he believes their plan will produce jobs. He has no basis for that, no studies that show that, no independent confirmation. He said again over the course of the last months, and I quote, "We're on track for over 725,000 jobs, and by the time we go back to the people, we will exceed it."

Let me tell you, the study released last week clearly shows that the Tories' job promise is out the window. There is nothing left of substance or credibility in that promise. This study really confirms that the Mike Harris revolution has very little to do with common sense.

YOUNG OFFENDERS

Mrs Marion Boyd (London Centre): The statement of the Solicitor General and Minister of Correctional Services is clearly an effort to try and fend off the criticism that his ministry has received since this story broke some time yesterday. I appreciate that the minister is attempting to reassure not only this Legislature and the general population in the province of Ontario but also the youthful offenders and their families that the ministry has behaved in an appropriate manner, given the allegations that have been made.

I think, Minister, you will find that the comments you have made are not going to indeed reassure anyone, because there are major inconsistencies even between this statement that you've released here today and other reports that have been made: inconsistencies in the dates of information, inconsistencies around when the ministry knew and what actions the ministry took.

So I would say to the minister that this effort to try and stave off criticism won't work and he will expect to hear more about these issues in the days to come.

1400

ORAL QUESTIONS

OBSTETRICAL CARE

Mrs Elinor Caplan (Oriole): My question is to the Minister of Health. I'm worried about pregnant women, particularly women who are considered high-risk. I'm worried they're not going to be able to get the expert obstetrical care they need in this province. You continue to deny the fact that we're facing an obstetrical crisis, but you cannot go on denying this forever. Will you admit to the people of the province that you did not take the advice you were offered by the College of Physicians and Surgeons and others who warned you where your bad policy decisions would lead us? Will you admit that you're responsible for this situation and tell the people of this province, tell the women of this province, what you're going to do about it?

Hon Jim Wilson (Minister of Health): I'd reiterate to the honourable member that we don't have a crisis at this point. The doctors themselves say there's six months'

lead time. In four editorials today which somewhat support the position we've taken I think we're all reminded, as I said yesterday in the House, that the best thing that can be done at this point is to turn our energies on the core problem, which is the malpractice insurance fund. We all should be working together to ensure that we get the answers and the accountability from that fund the taxpayers and the doctors in this province deserve.

Mrs Caplan: It's about your accountability to the women of this province, to the high-risk women who need obstetrical care. Your rhetoric does absolutely nothing for those women who are now pregnant and who are being refused treatment, being refused obstetrical care they need. You have to get your head out of the sand and you have to fix this problem you created.

Unlike you, I know the critical and important, essential function obstetricians play in this province. My new grandson is three weeks old and is he just wonderful. But part of the reason he arrived safely is the expert care my daughter-in-law received from her doctors. You see, my daughter-in-law's pregnancy was classified as high-risk. She didn't start seeing someone six or eight months after she found out she was pregnant; she needed that care almost from the day she found out she was pregnant. It was the expertise of those obstetricians who helped with the safe arrival of my grandson.

Obstetricians provide essential care for high-risk pregnancies. The expertise of obstetricians is also needed by general practitioners, family doctors and midwives. Obstetricians are the backup and support. Are you going to ensure that high-risk pregnant women receive the expert care they need here in Ontario?

Hon Mr Wilson: Yes, and I've said that consistently in this House and when asked about this issue. May I congratulate the honourable member for the birth of her grandchild. I'm happy for you and for your daughter-in-law. As in the case of your daughter-in-law, where the obstetrician obviously provided very good service, I expect that obstetricians in this province will fully live up to their obligations to their current patients and future patients in the province and will continue to provide the very good care they provide in their profession.

Mrs Caplan: Your assumption is incorrect. We know you are already talking about sending women to the United States to deliver. It is absolutely unbelievable that you would stand in this House and give that answer, because women are beginning to feel the effects of your irresponsible policies and actions. In Sudbury alone four women in the past two days have been turned away by obstetricians. It is estimated that up to 26,000 women will be turned away and not be able to receive care. That's the result of the survey from the College of Physicians and Surgeons.

You cannot deny that there is this crisis. Tell the women of this province once and for all that they will not be sent to the United States, that their children will not be American citizens and that you are going to ensure they will receive the obstetrical care Ontario has been famous for and proud of. Stand in your place and assure the women of this province that they're going to get the care they need here and tell them how you're going to do it.

Hon Mr Wilson: In terms of a solution to the concerns of the obstetricians, we have fully responded to that. I'm confident that as more obstetricians in our towns and cities actually hear of the government's offer, they'll be pleased with the offer and perhaps we will then see a positive response from many of them, because it is a very generous offer.

I'm pleased to once again assure the honourable member — I would be very pleased if she would provide me with the names of the four women who were denied obstetrical care, and consistent with this government's commitment we will ensure they receive obstetrical care. To hear they're not getting service sure flies in the face of one of the Sudbury doctors in the paper of two days ago where he assured the good people of Sudbury in this province that that would not happen, that they would not abandon the women of this province. If there are individual cases, we want to hear those and we will take appropriate action.

INTERPROVINCIAL TRADE

Mr Sean G. Conway (Renfrew North): My question is for the Minister of Finance. I'd like to pursue with the Minister of Finance and revenue my discussions yesterday in question period with his colleague the Minister of Economic Development, Trade and Tourism on the subject of Quebec-Ontario relations along the commercial frontier of the Ottawa River Valley.

Minister, are you aware that Quebec-based businesses are able to compete very effectively in eastern and northeastern Ontario, in part because they can manipulate the Ontario retail tax system that effectively allows Quebec-based businesses to use Ontario purchased building materials for Ontario construction projects without paying any Ontario provincial sales taxes? Are you aware that this manipulation is going on to the disadvantage of the Ontario treasury, where I estimate millions of dollars are being lost on an annual basis, and more importantly, to the expressed disadvantage of Ontario businesses and working men and women trying to compete on this uneven playing field?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I presume this is not a new problem with respect to the relationship between the provinces of Ontario and Quebec. Yes, I am concerned about the issue the honourable member raises. I would be happy to look into the matter further and to take it up directly with representatives from the province of Quebec.

Mr Conway: The Minister of Finance is a member of the Legislature who represents constituents in communities like Mattawa who live and work on this commercial frontier. He will know, and if he doesn't he can talk to my colleagues Mr Lalonde from Prescott-Russell, Mr Morin from Gloucester, myself from Renfrew county and I'm sure my colleague the member for Lanark-Renfrew, because small businesses in our part of eastern and northeastern Ontario are telling us that they are encountering far more interest and far more oversight from Quebec government revenue officials checking their

books than they ever encounter from Ontario revenue officials checking their books.

Will you, as you check into this, ascertain why it is that Quebec revenue officials seem to be much more vigilant in checking the books of Ontario businesses than Ontario revenue officials are, again in the interest of providing a level playing field? People in Mattawa, Pembroke, Rockland, Hawkesbury, Timmins and Kirkland Lake find it passing strange that they are losing Ontario business to Quebec competitors who are able to effectively underbid Ontario businesses for work in Ontario because these Quebec businesses can avoid paying Ontario retail sales tax on building materials purchased in Ontario for work to be done in Ontario.

Hon Mr Eves: As the member will also be aware, last week the Premier of Ontario met with the Premier of Quebec. I understand there were some discussions with respect to the construction industry in general and trade between those two provinces. I would be more than happy to look into the suggestion the honourable member's just made.

1410

Mr Conway: Let me say again what I said to your colleague the Minister of Economic Development, Trade and Tourism yesterday. I've been around here for 21 years and I appreciate the diplomatic efforts of finance ministers and prime ministers and economic development ministers over two decades, but I have come to believe that diplomatic efforts alone are not going to solve the problem that working men and women in Mattawa and Pembroke and Rockland and Hawkesbury and North Bay and Kirkland Lake, among other communities, continue to face.

Will the minister accept this rule for this ongoing tension along the commercial frontier that is the Ottawa River Valley: that the Ontario practice will be whatever the Quebec practice is, that we will offer a perfect reciprocity and we will let Quebec City decide where the bar comes to rest, that whether it's on tax policy or on procurement policy or on regulatory policy or on labour mobility policy, whatever the rules in Quebec are, particularly as they are applied to Ontarians, Ontario will reciprocate with precisely the same policy and the same application?

Hon Mr Eves: To the honourable member, I think we should undoubtedly be working towards true reciprocity in trade, as he points out, among all provinces, especially with respect to the two largest provinces in the centre of Canada, being Quebec and Ontario, of course. I can assure you that this government will do whatever it takes to make sure Ontarians are treated fairly and equitably in this regard.

YOUNG OFFENDERS

Mrs Marion Boyd (London Centre): My question is to the Solicitor General. Before I begin, I want to assure the minister that I'm not going to draw him into areas that might bring him into conflict with the police investigation. I know how serious that is.

We all know — it was widely reported — that there was a riot at the Bluewater Youth Centre in Goderich on

February 29. Following that, a number of the youths who were alleged to have been involved in that were transferred to the Elgin-Middlesex Detention Centre in London, where it's been widely reported again that they were met with a line of 12 guards who were holding batons, they were beaten and humiliated, and a number of other things occurred. In fact, our office has spoken this morning with a parent whose son is one of those young offenders. She clearly alleges that her son, on his arrival at Elgin-Middlesex, was slapped and thrown against the wall, picked up by the hair and thrown naked to the cell floor. These are very serious allegations.

Yesterday, Minister, you were questioned by the media and, incredibly, you seemed to be completely unaware of the serious allegations that had been raised at Elgin-Middlesex. I'm quoting from a transcript of that scrum. You were asked whether the police investigation deals with the two institutions, and your response was: "The institution that I've been apprised of is the Bluewater institution. I haven't heard about the other one. That hasn't been brought to my attention."

That seems to me very serious. I wonder if you would make this Legislature aware of when you became aware that this very serious allegation had been made about the Elgin-Middlesex Detention Centre.

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): We are very concerned about the matters raised by the child advocate. I want to put emphasis on the fact that these are allegations. I know we heard responses to my statement earlier today with respect to these being findings of fact.

Ms Frances Lankin (Beaches-Woodbine): Remember the position you took on Bell Cairn.

Hon Mr Runciman: Yes. Re-read the Hansard. It's quite different from what you're saying here today. I very much stressed in that particular instance that these were allegations, and I think we should never lose sight of that.

With respect to the child advocate's findings related to the Elgin-Middlesex situation, I was made aware of those after the cabinet meeting yesterday. That's the first time they were brought to my attention.

Mrs Boyd: I think then that you ought to be incredibly disturbed about what's going on in your own ministry, because the incident at Elgin-Middlesex took place either during the evening of February 29 or the early morning of March 1, and your ministry didn't see fit to tell you until yesterday? That's three months.

Your communications branch told our office this morning that the ministry did not know of any allegations regarding Elgin-Middlesex until May 30, a week ago. Judy Finlay of the office of child and family service advocacy states that your acting deputy minister was told of her concerns regarding the allegations at Elgin-Middlesex on March 4, and the two of them agreed that she should investigate the Bluewater incident and the Elgin-Middlesex incident separately. Her report on Elgin-Middlesex was completely filed on May 24, another week before.

It seems to me, Minister, that we should all be worried that in those three months those young people who had made these allegations were under the care of the very people against whom the allegations were made. You say in your statement that you've taken action to remove

them today. Your acting deputy minister knew on March 4 that those young people were in circumstances which could have been further endangerment to them.

Minister, you talk about Bell Cairn. Do you want to hear what you said about Bell Cairn? You said, "There are at least two serious omissions with respect to the statement today: one is that there is no reference to the communications breakdown within the ministry; also, there is no reference to an investigation into how this matter was handled, or rather, mishandled, by senior officials in the ministry."

Minister, I put it to you that we have the same complaint today about your management of your ministry. Why did you wait? Why did you wait until now to call in the police and to make those children safe?

Hon Mr Runciman: To try to draw an analogy between Bell Cairn —

Mr David S. Cooke (Windsor-Riverside): You just told us a couple of minutes ago, "Read your Hansard."

Hon Mr Runciman: That's right, I did indeed. This is more about political revenge than concern for young people; that's what it is. That's accurate.

Interjections.

Hon Mr Runciman: I'm not sure they really want a response, Mr Speaker. This is a façade for public consumption. The reality is that these were allegations made; an investigation was carried out —

Mr Bud Wildman (Algoma): On March 4.

Hon Mr Runciman: No, no, no. An investigation was carried out, because of these rumours, by the child advocate. We called them in the day of the offence at Bluewater, the day of the problems at —

Interjections.

Hon Mr Runciman: Mr Speaker, I'll answer when they want to listen to it.

The Speaker (Hon Allan K. McLean): Order.

Mrs Boyd: I hope you can. This is very, very disturbing behaviour. Of course the child advocate was brought in. Under the act, they need to be involved in situations where young people are engaged in this kind of thing, and they were brought in to talk to those young people, find out what happened, get their side of the story; that's for sure — and to understand, that's right. She reported to your acting deputy minister on March 4 that she had concerns about what had happened at Elgin-Middlesex Detention Centre, where those children were incarcerated as a result of those events.

You didn't take action, and you say this isn't comparable to Bell Cairn? I must tell you that all of us know that our responsibility to the care of children and youth is far more onerous than the kind of issue that was involved at Bell Cairn. It's serious, it's equally as serious. For you to characterize it as otherwise is quite unusual.

Minister, listen. It is totally unacceptable to you, I am sure, if these allegations are shown to be true — at least I hope it is. Maybe not; maybe you think this is acceptable behaviour. If you do, then your behaviour is certainly displaying why, as the leader of your ministry, people in your ministry think they can get away with this kind of behaviour. What kind of leadership are you demonstrating? We're asking you to tell us where the control is in your ministry around this kind of situation and who is

responsible for making sure that very serious, critical information that is received by your acting deputy minister on March 4 gets to the minister some time before three months later.

1420

Hon Mr Runciman: The reality is of course that we asked for an investigation, we encouraged an investigation. We called in the child advocate's office immediately following the Bluewater incident.

Ms Lankin: You asked for nothing. You said you didn't know about it. Why didn't you know about it?

Mr Floyd Laughren (Nickel Belt): You said you didn't know about it.

The Speaker: Order. Can we have order, please.

Hon Mr Runciman: As soon as the report was delivered to the deputy minister's office, we acted immediately. We called in the London city police to conduct an investigation because there were allegations here with respect to criminal behaviour.

To try and suggest that there's any analogy here between this matter and Bell Cairn is offensive, to say the least. We were talking about sexual assaults that were within the ministry for months and months and the minister was totally unaware. We were not unaware. We were completely aware of what was going on with respect to this situation. We've taken appropriate action and I'm quite confident that we've dealt with this in a most appropriate way.

The Speaker: New question.

Mr Peter Kormos (Welland-Thorold): To the Solicitor General: His ministry learned on March 4 that there were serious allegations of criminal conduct against his staff, including assaults and assaults-bodily harm, by the victims of that conduct. Those young people weren't even moved out of Elgin-Middlesex until today. Why were the police not called in to conduct an appropriate criminal investigation on March 4 when your deputy minister and you knew — or you certainly ought to have known — of these serious allegations of criminal assaults and assaults-bodily harm against young people in your care?

Hon Mr Runciman: This was looked at.

Mr Cooke: By whom?

Hon Mr Runciman: This was looked at by the OPP, and at that point in time they did not believe there was any substance to the allegations. Because of the child advocate's report and the concerns that have been brought forward by the child advocate, we have asked the London city police to become involved. We felt that it should be a third party, an independent service, that comes in and takes a look at all of the questions that arise out of her report.

Mr Kormos: Talk about reading Hansard; one should read the Hansard of New Democrats raising the injustices and assaults at Grandview, among other places, and the Tory response of the day. This is a little bit of déjà vu all over again. The legacy of this Tory government is going to carry on that left to us by previous Tory governments in terms of abuse of young people put in their care.

What happened is that young people were prodded, struck, kicked, many of them sustaining injuries. The deputy minister, and now we can assume the minister,

knew about this on March 4. The minister failed, notwithstanding that he's the province's top cop, to take any action to ensure that the law was enforced. Are we to assume that the conduct by your staff is so consistent with your theory about boot camps and getting tough on young kids that you approve of that kind of behaviour and that's why you did nothing?

Hon Mr Runciman: That kind of question doesn't merit a response. I want to indicate that if you take a look at the record of the response of the minister with respect to everything that's occurred, take a look at the chronology with respect to this whole matter, the ministry, the minister's office, the minister's staff and the deputy minister's office have responded in an appropriate way to some very real concerns on the part of the child advocate. We have never in any way, shape or form downgraded those concerns. We think they are certainly very serious and we're pursuing them very vigorously.

Mr Kormos: You see, not only was the assistant deputy minister advised on March 4, but as well Ms Finlay reported her findings on an ongoing basis, as she was conducting her inquiry, to the Solicitor General's ministry. If the Solicitor General wasn't informed of that, he clearly has been more than incompetent as a minister. If he was informed about that, he has maintained these young people, eight of them, in the care of those keepers who were the assaulters of those same young people, and that means the only inference one can draw is that the minister somehow approves of this sort of conduct on the part of his staff.

If he didn't and if he doesn't, why did he not do anything on March 4 and why were those young people kept in that same institution for three months when you knew what had been going on for a heck of a lot longer than you're prepared to admit now?

Hon Mr Runciman: Ms Finlay did indeed deliver a report to the ministry in March.

Mr Rosario Marchese (Fort York): Release it to us, Bob.

Hon Mr Runciman: I don't have any problem releasing that to you.

Mr Kormos: Reporting findings on an ongoing basis. You knew about it March 4 and regularly thereafter.

Hon Mr Runciman: You know, he asks a question and again he doesn't want to hear the answer.

Mr Kormos: I'd like a straight answer.

Hon Mr Runciman: Give me an opportunity. That's all you'll get from me, is a straight answer.

In the report in March from Ms Finlay to the ministry, she outlined 10 concerns and recommendations. The ministry responded very promptly to those concerns raised in that March report and I want to put on the record Ms Finlay's acknowledgement of that. Ms Finlay said, "I have been satisfied with the response by the Ministry of the Solicitor General and Correctional Services to that review, both in terms of timeliness and the nature of the response." The child advocate indicated very clearly her positive response to her first report.

PAROLE OFFICERS

Mr David Ramsay (Timiskaming): I have another question for the Solicitor General. It's on another area,

but it really shows that something is certainly wrong in the state of Denmark over there in this government.

As the minister knows, last November the Provincial Auditor gave your ministry a failing grade when it comes to parole supervision. Of the 177 files the auditor had looked at, 49 offenders had failed to comply with their parole probation conditions, a third had failed to do their community service that the judge had ordered, half hadn't paid their restitution that the judge had ordered and half hadn't attended the treatment programs that were required. Overall, 31 of 49 cases of non-compliance were not dealt with and 13 of these were maximum-risk offenders.

I and others at the time were really concerned about this and we were sort of scratching our heads and wondering why this was going on. I think I have an answer, because I have a memo here from your assistant deputy minister for correctional services division, Neil McKerrell, dated April 10 of this year, six months after the auditor's report. The memo, to all the regional directors and managers, states that a number of the probation and parole officers hold second jobs outside the ministry and that they attend these jobs during their core business hours they should be working for you.

Minister, how long have you known about this and why did it take you six months to find out that your parole officers weren't on the job?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): The member raises an issue respecting parole and obviously I think it's clear to all that we did take very strong positions in opposition with respect to the way individuals were treated with parole decisions. We were very much concerned with the release decisions made by previous parole boards and we have acted upon that.

I believe we have done an excellent job and the record bears that out. Certainly, we continue to have problems and we're trying to address those, but if you look at what we've done with respect to appointments to the parole board, we've ensured that individuals now appointed to the board have a wide range of backgrounds in terms of community service and a significant representation of individuals with justice experience in their backgrounds now serving on parole board duties in this province.

If you take a look at the growth rate in terms of release decisions over the past 10 years, for the first time in 10 years, releases are down dramatically. They were rising on a constant basis over the past 10 years during Liberal regimes and during NDP years, up to the point where we were releasing 58% of those who applied for parole. We are now down to 32%. We're being much more careful in the kinds of release decisions made and the public in Ontario is much safer because of the change in government.

1430

Mr Ramsay: Mr Speaker, I'd really ask the minister to listen very carefully about what this problem is because in my supplementary it gets worse. The first question was, why aren't these people on the job, doing their job? They're doing other jobs when you're paying them to do the job to supervise dangerous offenders who are on the streets of Ontario today.

The memo goes on to say, "Of course this practice is contrary to the Public Service Act and the consequence of doing this is disciplinary action." The memo concludes by stating, "This should be brought to the attention of all of those who might fall into this category."

Minister, I really have to question the mild rebuke you're giving to these people who are moonlighting when one considers the seriousness of this offence.

A second memo from one of your regional managers, dated this Monday, almost two months after this first memo, to clarify this, asks those who hold these second jobs to make arrangements to terminate those jobs within another 90 days from now. This is an incredible waste of taxpayers' dollars and gross negligence on your part in managing dangerous offenders who were on the streets of Ontario cities and towns.

Minister, why are you allowing this double-dipping moonlighting to go on for five months after your ministry found out about it and allowing dangerous offenders to be running on the streets of Ontario unsupervised?

Hon Mr Runciman: That's quite an allegation to suggest that we are allowing dangerous offenders to run on the streets unsupervised.

Interjections.

Hon Mr Runciman: I commissioned Douglas Drinkwater last fall to review the operations of the parole board in the province of Ontario, to take a look at the whole range of issues. That report has now been delivered. We're certainly looking at these kinds of areas as well.

But to suggest that the parole system is going to hell in a hand basket — in fact, the parole system has been improved markedly during the 11 months this government has been in office. It's providing much safer decisions with respect to release of dangerous individuals into our communities across this province and I think the record proves that.

I'm very proud of the changes that we've brought into force with respect to the parole board of Ontario. I stand by that and we're going to continue to make improvements so that public safety always is the number one consideration in release decisions.

IPPERWASH PROVINCIAL PARK

Mr Bud Wildman (Algoma): I have a question of the Attorney General and the minister responsible for native affairs with regard to the Ipperwash situation and SIU.

The minister will recall that the Premier last week indicated that following the completion of the SIU investigation, he might be prepared to look at having a public inquiry into the incident at Ipperwash. I think all of us would recognize that the special investigations unit investigation completion date is uncertain and it certainly is long overdue. Now we find that the head of the SIU, Mr Reynolds, has been appointed assistant deputy Attorney General just this week.

Will the new head of the SIU as a result need to go over the whole investigation again, and how will that be done in order to ensure that there is proper distance between the prosecutorial and investigative branches of the government? Does this now mean there will be an even longer delay in the completion of the SIU investigation?

Hon Charles Harnick (Attorney General, minister responsible for native affairs): I'm advised that there will be no delay whatsoever as a result of the transition by Mr Stewart to become head of the SIU.

Mr Wildman: I'd like to deal with Mr Reynolds' position as assistant deputy to the minister. Is the minister concerned that there might be at least a perception of conflict of interest with regard to the SIU investigation of Ipperwash, and if he is concerned about that, does that mean Mr Reynolds must withdraw from any further involvement in the Ipperwash investigation and any possible prosecutions that might result from the findings of the special investigations unit's investigation of the Ipperwash incident?

Hon Mr Harnick: Mr Reynolds will withdraw from any continuing involvement with the SIU. Your colleague from London North is nodding her head because she knows full well that these kinds of things occur in the ministry of justice on occasion and there are very stringent screening methods to ensure that an individual can have no involvement with a matter in which there is a conflict. That is set up in this particular instance. There will be no delay as a result of Mr Stewart taking over and there will be no conflict, because of the screening devices that we have in place.

WORKERS' COMPENSATION BOARD

Mr Jerry J. Ouellette (Oshawa): My question is for the minister responsible for the Workers' Compensation Board. Minister, I've been hearing ads recently on the radio that are sponsored by the union that represents the workers at the WCB. They claim that there is no financial crisis at the WCB because, to quote the union, the board owes no creditors and has \$8 billion in assets, earning 18% interest in 1995, and the board enjoyed a surplus of \$510 million in 1995 and over \$100 million surplus for 1994.

Minister, can you explain the apparent difference in opinion between the ads that the union is running and your discussion paper that was released earlier this year regarding the seriousness of the financial problems at the WCB?

Hon Cameron Jackson (Minister without Portfolio [Workers' Compensation Board]): I appreciate receiving the question, because like many members of this House I too have listened to these ads on radio which indicate that according to the union that serves the employees at the Workers' Compensation Board, there is no apparent financial crisis at the board. They go on to say that the board has currently no creditors.

Well, the truth is that the board does have a lot of financial obligations. In fact, if you look at claimants as being persons standing in first order to be paid from this insurance company, they are owed actually \$17.35 billion in benefits. In fact, when you subtract the assets, that still leaves a shortfall of over \$10 billion. That clearly is a financial crisis at the Workers' Compensation Board.

Frankly, injured workers want to make sure their future benefits are secured and they want to make sure the system is financed in a way that they are secure.

Canadians live in a society where our entire pension fund has been drawn into question. How do you think injured workers feel with that size of unfunded liability? This government is prepared to make the necessary changes in legislation to secure the financial security of the WCB now and into the future for Ontario's injured workers.

Mr Ouellette: Despite these ads that would have us believe everything is all right at the WCB, worker after worker who comes in to see me tells me stories of delay: delay in getting their claims adjudicated, delay for medical assessments, delay to file an appeal, and delay sometimes for years to get an appeal finally decided. What is the government doing to assure injured workers that despite this ad campaign, it understands the problems they face in dealing with the board?

Hon Mr Jackson: I want to assure my colleague and all members of the House that during the course of the consultations which have been undertaken with the WCB, we heard from many injured workers who indicated concerns about client services. We also heard from employees at the board, and those employees at the board also indicated that they were suffering under legislation that lacked a high degree of clarity and an administrative structure that was difficult in order for them to do their jobs.

I don't wish to imply that the employees down at the workers' comp aren't doing a great job; there are some outstanding individuals down there. But that board needs strengthening of its administration, and all three political parties in this province over the last two years campaigned on the issue that the WCB had to be reformed. This government has taken the necessary action, first with my colleague the Minister of Labour, who with Bill 15 looked at the governance of the board, and to strengthen the financial accountability of this institution.

The bottom line is, injured workers in Ontario don't want the employees at the board putting advertising out there for injured workers. They want the employees to pick up the phone and return their calls when injured workers phone for service. That's what this is about.

1440

PLEA BARGAINING

Ms Annamarie Castrilli (Downsview): My question is for the Attorney General. Earlier this year you'll remember there was an enormous outcry with respect to the crown plea bargaining arrangement with Karla Homolka, commonly known as the deal with the devil. There was an ensuing flurry of protest from the public. Hundreds of thousands of people signed their names to a petition, there were thousands of phone calls received from angry citizens and there were repeated requests by myself in this Legislature for an inquiry. You finally relented and did convene an inquiry, albeit it was not a public inquiry, which was presided over by Mr Justice Patrick Galligan.

The inquiry concluded that there would be no further action undertaken against Ms Homolka but also went on to make several important recommendations. One in

particular required you to look at clear guidelines for plea bargaining arrangements or what Mr Justice Galligan called "the difficult and distasteful matter of dealing with accomplices," guidelines that are particularly important in the case of serious offenders. I wonder if you could advise us as to when we could expect such guidelines.

Hon Charles Harnick (Attorney General, minister responsible for native affairs): The senior members in the criminal law division are working on this project and I expect they'll have guidelines prepared and dealt with. Very much of the development of this area of law has been done pursuant to cases, pursuant to Supreme Court of Canada decisions. That is what the crown attorneys use as their guide to deal with these matters.

The member opposite is indicating that she has some concerns about plea negotiations. I don't know whether her plea negotiation concern is just related to accomplices. Maybe she'll tell me in her supplementary.

Ms Castrilli: I was simply referring to comments made by Mr Justice Galligan. Plea bargaining guidelines and clarity in those guidelines are extremely important right now, particularly in the aftermath of the Homolka case. I think we all agree that it will improve the justice system by giving uniformity, by increasing public understanding of the rules and therefore public confidence in the system. Those are goals that are very laudable.

Moreover, victims and their families have the right to know that a logical and reasonable process will be followed with respect to the bargaining process and that we will not have deals of this kind, sweetheart deals, for the sake of expediency.

You stated in the Legislature on March 19 that your staff was willing and eager to develop such rules: "That's exactly why we had this examination, so that we could do a better job with the administration of justice. Where there's improvement, we want to make it. That's exactly the kind of recommendation that we want to respond to and will respond to."

I'm glad that you are recommitting yourself to that statement. I would tell you, though, that tonight in St Catharines there will be a very important forum on plea bargaining and that victims and their families and the public at large will be interested in hearing a commitment from you as to exactly where we stand. Can we get such a commitment? Can we get a clear time frame with respect to the bargaining rules?

Hon Mr Harnick: I wonder how objectively the member is going to enter the debate tonight when she will be debating with a crown attorney and a defence lawyer. It bears repeating and I hope that the people she's debating with will have the opportunity tonight to talk about her characterization of the justice system being made up of sweetheart deals for the sake of expediency. There could be no greater slur against the administration of justice, against the work crown attorneys do and against the work defence lawyers do in defending accused individuals before the courts. If that's the approach the member takes, I suspect she belittles the process and also indicates how little she knows about the way the criminal justice system works.

NORTHERN AIR SERVICE

Mr Floyd Laughren (Nickel Belt): I have a question for the Minister of Natural Resources. When you announced that you were killing norOntair air service last November, we told you, and a lot of other people did as well, that it would leave many northern communities without air service because the private sector simply wouldn't move in there if it couldn't make a profit. You said: "Don't be worried. The private sector will step in and look after the problem and provide the service."

Business people, municipal leaders and health care providers to northern communities came before the standing committee on government agencies in February and March and said that your decision was the wrong one and was going to be a problem for maintaining local airports, for getting doctors and specialists into those communities, for ensuring that there'd still be fixed-wing medical evacuations from those communities and for ensuring that the Red Cross could still get blood to those communities. You said: "Don't worry. The private sector will step in and provide the service and look after the problem."

Guess what? Air Creebec, one of those private airlines that was going to step in and provide the service, has now announced that it will no longer provide services to Sudbury, Kirkland Lake and Earlton because the routes are not economical. Could you tell us what you're going to do to ensure that these communities and other northern communities are not left without air services as a direct result of your killing norOntair?

Hon Chris Hodgson (Minister of Natural Resources, Northern Development and Mines): As the member of the third party knows full well, the board of the Ontario Northland Transportation Commission, along with the municipal advisory board of the affected communities, has been working with the communities and with airline companies. The private sector has stepped in and filled most of the communities. The municipal leaders of these towns are working with this advisory board and with the ONTC board, and I'm confident they'll come up with a solution.

Mr Laughren: I'm very much aware of that committee of which you speak, because you wouldn't let MPPs from the opposition parties attend those meetings. What kind of cooperation is that you're seeking from members across the north? You refused to allow members to attend those committee meetings, for reasons known only to yourself.

In an interview on MCTV last December, you said the government would step in in the transition period to ensure that remote communities would still be serviced by air. You made that promise to people all across northern Ontario. The private carriers that you said were going to service these communities are already starting to withdraw their services. It's all coming apart on you; it's falling apart. You're putting municipal infrastructure, you're putting health care and indeed you're putting the viability of northern businesses as well at risk.

I'd like you to share with me not some general vagaries about how everything is going to be just fine and the private sector will look after it. You've already

said that and it hasn't worked. What I'd like to know is what you intend to do to ensure that you keep your promise that there'll be air services provided to those northern communities.

Hon Mr Hodgson: There is an ONTC board; that's not a vagary. There is a municipal committee that is working on it. We sold the airline. Previously, under your leadership we were subsidizing these northern communities, through the Ontario taxpayers, by over \$5 million a year. We had assets that we sold for over \$13 million. For four of the communities, for a four-month interim period, there is a subsidy that will go there that's a lot less than what you were squandering the money on before. This municipal group, with the ONTC board, will make sure there's air service to these communities, working with them.

There is air service. At first you said there'd be no air service. Then the private sector came along and said 14 of the 17 communities will be picked up. For three of the 17, we had a tender and there is a small subsidy. Now we've got one of the airline carriers saying, "We're going to withdraw unless we get a subsidy." We're going to work at this in a methodical way to make sure these communities are served in conjunction with their municipal authorities.

1450

EDUCATION FINANCING

Mr Rob Sampson (Mississauga West): My question is to the Minister of Education and Training. Last week the Minister of Municipal Affairs and Housing announced a plan that this government is going to proceed with in regard to property tax assessment and a disentanglement process. But I also recall at one point in time you telling the House, and I believe the public, about an education finance reform working group, and that this particular group was working on a study or a proposal that was going to be dealing with, as the title says, education finance reform.

I understand that this group has been working on this particular package for some 18 months, and I'm worried that the report probably needs to come to the attention of this House at the same time the Minister of Municipal Affairs and Housing receives a report of that committee that he has struck, headed by a well-known individual from Toronto and also attended by a well-known individual from Mississauga.

Could you please tell us, and tell this House, when you expect this long-awaited report?

Hon John Snobelen (Minister of Education and Training): I want to thank the honourable member for Mississauga West for a succinct and direct question, an excellent question. It's right on target, as always from my colleague.

The member for Mississauga West is correct that the education finance reform working group was commissioned by the previous government over a year and a half ago. It was chartered to look at the very complex, often apparently unfair funding method that we have for our schools in Ontario. It's a system where some individual

students in the province receive more than 30% less funding for their education than other students do, and that appears to be unfair to many observers. The funding would appear to be tied to availability — I know the member has expressed concern to me about this in the past — rather than what program costs are.

This working group was comprised of people who represented the francophone interests of both the public side and the Catholic side in the province, the five teachers' federations, including the Ontario Teachers' Federation —

Applause.

Hon Mr Snobelen: Thank you, to the members opposite — the public and Catholic school boards and the business officials in both the Catholic boards and the public boards across the province.

I believe I'll be receiving that report in the next few days, and as soon as I receive it I will release it.

Mr Sampson: I know the opposition was applauding my next question. How will you see this report fitting into the disentanglement process and, more specifically, what actions do you see coming out of this particular report? How will it fit with this committee and what are the actions that we can see?

Hon Mr Snobelen: The working group has dealt with this very, very difficult subject, again for over a year and a half, and from my understanding and from my reports, their sessions have been difficult, very complicated and, of course, there are a lot of vested interests in the funding of this almost \$14-billion system.

When this report is released, one of the things I think many of the people in Ontario will be surprised by is the lack of a common accounting system for costs across the system. In a system this large it seems appalling to many observers that there isn't a common system of accounting, and I hope that subject is addressed by the working group. Also, there is no individual costing of the programs as they affect students across the province, and that seems to be necessary to us as well.

I want to assure the honourable member that this government will receive the report and will consider it and we will be looking to change the funding of education in Ontario, not just to make it more affordable to the taxpayers of Ontario — although surely that's one of our goals — but also to provide an equal opportunity for every child in the province of Ontario.

ONTARIO FARM IMPLEMENTS BOARD

Mr Pat Hoy (Essex-Kent): My question is to the Minister of Agriculture, Food and Rural Affairs. I have in my hand a letter addressed to you from the Ontario Federation of Agriculture and the Ontario Retail Farm Equipment Dealers' Association. As you know, the restructuring committee of the Ontario Farm Implements Board will decide the future of that particular important body. In this letter these two groups have expressed their concerns over the steps taken by your ministry. They're particularly upset over the gag order that you've imposed on the members. The association members cannot even speak to their own representatives on the status of the

talks. Is this how your government operates, by not allowing groups to have any input? The associations both feel that the questions being addressed must be openly discussed by the stakeholders.

Minister, as the next meeting is on June 10, will you lift this gag order and allow for open discussions with those who are directly affected by this program?

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): There is no gag order from this minister or from the ministry, and those people who represent the people who have sent them to that board certainly have the opportunity of expressing their thoughts as they see fit.

Mr Hoy: Minister, I quote from the letter from these two organizations: "On the question of open discussions, we take issue with the imposition of a gag order on the members of the reorganization committee." Clearly there is a gag order on them; they can't discuss back to their own representatives. First of all, you must remove that restriction from them.

Further to that, Mr Minister, I would also like to touch on another part of this letter. The OFA and the ORFEDA have repeatedly sought a complete accounting of the board's operating books. How can they expect decisions to be made on such a crucial issue without the proper information? Will you assure the House today that you will send them the information so that these associations can be properly prepared for the meeting that is coming on Monday?

Hon Mr Villeneuve: As far as I'm concerned, they have had the opportunity of discussing whatever had to be discussed. On June 10 the opportunity will arise again and I'm quite sure they will express their thoughts, and if indeed they want to communicate with the minister or the ministry, they are very, very welcome.

AIDS TREATMENT

Mr Floyd Laughren (Nickel Belt): In the absence of the Minister of Health, I have a question for the Deputy Premier. My question has to do with the whole issue of treatment for AIDS.

AIDS Action Now and the Toronto HIV Primary Care Physicians Group held a press conference today calling attention to the recent changes your government has made to funding rules for access to two new AIDS drugs. It used to be that doctors treating AIDS patients wrote prescriptions for the patients and the patients would be reimbursed for those prescriptions, but as the result of a recent policy change by your government that was supposed to take place April 1, you are now requiring that only those patients approved in advance will see refunds for the money they had spent on their prescription drugs. We're talking about hundreds of dollars a month for people living with AIDS.

Part of the problem is that your government made the policy change in secret and didn't bother to inform doctors. It wasn't until the ministry finally sent a letter out on May 16 to AIDS activist groups six weeks later — and as you know, six weeks can literally be a

lifetime to someone living with AIDS. All this is done apparently to save money for your precious bottom line, Mr Deputy Premier, that you are imposing on your government.

How is it that you now allow a bureaucrat in the Ministry of Health to decide who will get reimbursed for these very important drugs?

I'll finish it up, Mr Speaker, because I won't have time for a supplementary. AIDS activists are calling for an innovative, comprehensive program for people living with AIDS so that they can be assured that secret policy decisions by the Ministry of Health never happen again. Will you instruct the Minister of Health to work with AIDS activists and AIDS doctors to develop a comprehensive program immediately?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): The ministry is indeed aware of the concerns that the honourable member has raised. They've been brought to the ministry's attention by both physicians and consumer groups with respect to this issue.

Because, as the member has properly stated, not everybody was aware of the change in the procedure, the ministry has agreed that they will provide time for individuals to seek approval, that retroactively they will reimburse people for their receipts, and they are taking steps to make sure that such policy is fair and consistent in the future and that it doesn't happen again.

1500

Mr Laughren: What really is at stake here is the whole issue of who does the prescribing for the AIDS patients. Is it a bureaucrat in the Ministry of Health or is it going to be the doctors who are specialists in dealing with AIDS patients?

Bill 26 has run amok. I have to tell you, Minister, that what's needed here — it's true there's been some time through to July 31, but that hasn't changed the policy; the policy's still in place. I'm asking you to do away with that policy and go back to the way it was done before so that doctors prescribe drugs, not bureaucrats in the Ministry of Health.

Hon Mr Eves: The honourable member is wrong. Bureaucrats do not make these decisions. As he knows —

Mr Laughren: Yes, they do.

Interjections.

Hon Mr Eves: No. As he knows, these guidelines are developed by the Drug Quality and Therapeutics Committee. They are made in consultation with leading HIV and AIDS specialists in the province of Ontario. These are clinical decisions; they are not simply financial or bureaucratic decisions, as he would lead us to believe.

NOTICE OF DISSATISFACTION

The Speaker (Hon Allan K. McLean): Pursuant to standing order 34(a), the member for Rainy River has given notice of his dissatisfaction with the answer to his question given by the minister responsible for native affairs, the Attorney General, concerning comments made with respect to Ipperwash. That will be debated tonight at 6 pm.

MOTIONS

COMMITTEE SUBSTITUTIONS

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I move that Mr Kennedy be substituted for Mr Agostino on the standing committee on social development and on the standing committee on public accounts; that Mrs Ross be substituted for Mr Kells on the standing committee on general government; that Mr Doyle be substituted —

Interjections.

The Speaker (Hon Allan K. McLean): Would the members come to order. I can't hear what the minister is saying. Minister?

Hon Mr Eves: That Mr Doyle be substituted for Mrs Ross on the standing committee on government agencies; that Mrs Bassett be substituted for Mr Vankoughnet on the standing committee on public accounts; that Mrs Marland be substituted for Mr Doyle and Mr Stewart be substituted for Mr Vankoughnet on the standing committee on the Ombudsman.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

BUSINESS OF THE HOUSE

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): Mr Speaker, if I might indicate the business for next week, what little of it there is so far, pursuant to standing order 55, I wish to indicate the business of the House for the week of June 10, 1996.

On Monday, June 10, we'll begin second reading of Bill 46, the Agriculture and Food Institute of Ontario Act.

Negotiations are currently underway among the House leaders. We'll be meeting again on Monday of next week to determine the rest of next week's business.

For next Thursday morning's private members' business, we will consider private ballot item number 35, standing in the name of the member for Timiskaming, and ballot item number 36, standing in the name of the member for Rainy River.

PETITIONS

LIQUOR CONTROL BOARD OF ONTARIO

Mr James J. Bradley (St Catharines): I have a petition signed by a large number of Ontarians. It reads as follows:

"To the government of Ontario:

"Whereas the government of Ontario appears to be moving towards the privatization of retail liquor and spirits sales in the province; and

"Whereas the LCBO provides a safe, secure and controlled way of retailing alcoholic beverages; and

"Whereas the LCBO provides the best method of restricting the sale of liquor to minors in Ontario; and

"Whereas the LCBO has an excellent program of quality control of the products sold in its stores; and

"Whereas the LCBO provides a wide selection of product to its customers in modern, convenient stores; and

"Whereas the LCBO has moved forward with the times, sensitive to the needs of its customers and its clients; and

"Whereas the LCBO is an important instrument for the promotion and sale of Ontario wine and thereby contributes immensely to the grape-growing and wine-producing industry;

"Therefore, be it resolved that the government of Ontario abandon its plan to turn over the sale of liquor and spirits to private liquor stores and retain the LCBO for this purpose."

I affix my signature to this petition as I'm in full agreement with its contents.

HEALTH CARE

Ms Marilyn Churley (Riverdale): I have another petition on choice in health care from a citizen in my riding. It reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"I, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"I request, as a taxpayer and consumer, that I be confirmed in the right to make and act upon my own choices with respect to medical and health therapies offered by all regulated health care professionals, particularly physicians, as long as I am not being harmed or at risk of appreciable harm.

"I request that the Legislature enact a Choice in Health Care Act to ensure that consumers and taxpayers will have meaningful choice and access to safe, effective and cost-effective health care that meets their needs, and that the legislation be modelled upon acts of this type already in place in such jurisdictions as the states of Alaska, New York, North Carolina, Oklahoma, Oregon and Washington. In particular, this act should establish the authority of true peer review and the standard of patient outcome.

"I further request that the government of Ontario take immediate action to terminate the pattern of abusive actions of the College of Physicians and Surgeons of Ontario which, contrary to their mandate and the public interest, attack and punish doctors simply because they employ complementary medical therapies. This the college does to the detriment of medicine, the welfare of patients, the rights of consumers, the interests of taxpayers and my personal needs."

This is signed by Mr Jim Kirkwood, who lives in Riverdale.

DRINKING AND DRIVING

Mr John R. Baird (Nepean): I have a petition signed by constituents in my riding of Nepean, from Barr Haven. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas drinking and driving is the largest criminal cause of death and injury in Canada;

"Whereas every 45 minutes in Ontario a driver is involved in an alcohol-related crash;

"Whereas most alcohol-related accidents are caused by repeat offenders;

"Whereas lengthy licence suspensions for impaired driving have been shown to greatly reduce repeat offences;

"Whereas the victims of impaired drivers often pay with their lives, while only 22% of convicted impaired drivers go to jail, and even then only for an average of 21 days;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We urge the provincial government to pass legislation that will strengthen measures against impaired drivers in Ontario."

Because I'm in agreement, I've affixed my own signature thereto.

FAMILY SUPPORT PLAN

Mr Rick Bartolucci (Sudbury): This petition is yet another petition to the Legislative Assembly of Ontario. It concerns the family support plan and it comes from the people in Sudbury.

"Whereas we believe that the family support plan is a viable and necessary service provided by the government of Ontario;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the proposed centralization of the family support plan will have a negative impact on the children who are supported under this plan and should be cancelled."

Because this is of significant importance to children, I affix my name, because I am in complete agreement with it.

EDUCATION FINANCING

Mr Howard Hampton (Rainy River): This is a petition to the Legislative Assembly of Ontario.

"We, the undersigned, make the following petition:

"Whereas the Fort Frances-Rainy River Board of Education did, prior to the social contract, lose all of its teacher-librarians, guidance counsellors, the sole French consultant and the sole vice-principal;

"Whereas the classroom teacher and consultant components were further reduced by 4.75% to comply with social contract directives;

"Whereas social contract budgetary constraints which directly affected the classroom have also been met;

"Whereas the board has already surpassed the administration-school cost ratio with the ratio of 37% administration to 63% school costs; and

"Whereas current grant reductions have augmented the adversity of these previous cuts and jeopardize the quality of education within our schools;

"We respectfully request a cease to the grant cutbacks and request that the Minister of Education and Training re-evaluate the grant reductions to the Fort Frances-Rainy River Board of Education as was done in the case of the Haliburton board of education."

This petition is signed by 100 individuals and I have affixed my signature as well.

ONTARIO HYDRO

Mrs Julia Munro (Durham-York): I have a petition pertaining to the Power Corporation Act of Ontario, signed by Richard Force and 11 other concerned citizens from Newmarket, Sutton, Windsor and King City, and it reads as follows:

"To the Parliament of Ontario:

"Whereas Ontario Hydro arrears incurred by a tenant can become a lien on the owner's property under the provision of the Power Corporation Act of Ontario, section 89, RSO 1990, chapter P18, and they can be collected from the owner in the same manner as municipal taxes, this special advantage conferred on Ontario Hydro by a previous government has been described by one as 'improper and outrageous';

"Whereas any other electric power utility in the province (see attached list) who makes a contract with another party (a tenant) to pay for service does not have the right to extract money for a defaulted bill from a third party (the owner);

"We, the undersigned, petition the Parliament of Ontario as follows:

"To request that the portion of the Power Corporation Act, that is, section 89, RSO 1990, chapter P18, that contains this special advantage legislation be repealed."

1510

DELLCREST CHILDREN'S CENTRE

Mr Tony Ruprecht (Parkdale): I keep getting petitions that are addressed to the Parliament of Ontario, but specifically to the Solicitor General's ministry.

"Whereas the Dellcrest Children's Centre is planning to open a 10-bed open custody residence for troubled children and youth on Dowling Avenue in Parkdale; and

"Whereas the residence is an inappropriate site for the rehabilitation of troubled children and youth because it is within walking distance to illicit drug and prostitution activities, a large number of unsupervised rooming houses that are home to ex-psychiatric patients, parolees and our society's most vulnerable and ostracized members, and a number of licensed establishments that have been charged with various liquor infractions; and

"Whereas the Ministry of Correctional Services and the Dellcrest Children's Centre have decided not to hold open discussions with our community prior to the purchase of this house for the purpose of an open custody residence; and

"Whereas the decision to relocate also expresses a total lack of regard towards our community's consistent and well-documented wishes for the Ontario government to stop the creation or relocation of additional social service programs or offices in an area that is already oversaturated with health and social services for disadvantaged, troubled or disenfranchised people;

"We, the undersigned local residents, urge the Ministry of the Solicitor General and Correctional Services to suspend plans to relocate the open custody residence for

troubled children and youth until a full review of the Dellcrest Children's Centre's decision can be conducted and explore with us alternative locations which are more appropriate."

I have affixed my signature to this document.

SCARBOROUGH GENERAL HOSPITAL

Mr Jim Brown (Scarborough West): I have a petition from the residents of Scarborough to the Legislature of Ontario.

"Whereas the recommendations of the Metropolitan Toronto District Health Council to close inpatient paediatric beds, the special care nursery and the burn unit at Scarborough General Hospital are resulting in significantly reduced access to paediatric, newborn and burn care for a large geographic area of Scarborough; and

"Whereas the paediatric unit, special care nursery and burn unit at Scarborough General Hospital provide very cost-efficient, quality care;

"We, the undersigned, petition the Legislature of Ontario to:

"(1) Continue paediatric services including inpatient paediatric beds;

"(2) Continue special care nursery services;

"(3) Continue and combine Metropolitan Toronto's burn care at Scarborough General Hospital."

I agree with the petition and attach my signature.

ANCASTER BUS SERVICE

Ms Annamarie Castrilli (Downsview): I have a petition signed by hundreds of my constituents to the Legislative Assembly of Ontario.

"Whereas the Toronto Transit Commission are considering the elimination of the Ancaster bus — it will be replaced by the Calvington bus, which will run only during rush hour, every 60 minutes — these residents will be severely prejudiced;

"Whereas the Toronto Transit Commission's decision adversely and unreasonably burdens these residents, a large part of whom are senior citizens and high school students;

"We, the undersigned, petition the Legislative Assembly of Ontario to take the necessary action to not bring about the elimination of the Ancaster bus route."

I affix my name to this petition.

VIDEO LOTTERY TERMINALS

Mr Gerard Kennedy (York South): I have a petition signed by residents from a number of Ontario communities.

"Since video lottery terminals will contribute to gambling addiction in Ontario and the resulting breakup of families, spousal and child abuse and crimes such as embezzlement and robbery;

"Since the introduction of video lottery terminals across Ontario will provide those addicted to gambling with widespread temptation and will attract young people to a vice which will adversely affect their lives for many years to come;

"Since the introduction of these gambling machines across our province is designed to gain revenue for the government at the expense of the poor, the vulnerable and the desperate in order that the government can cut income taxes, to the greatest benefit of those with the highest income;

"Since the placement of video lottery terminals in bars in Ontario and in permanent casinos in various locations across the province represents an escalation of gambling opportunities; and

"Since Premier Harris and Finance Minister Eves were so critical of the provincial government becoming involved in further gambling ventures and making the government more dependent on gambling revenues to maintain government operations;

"We, the undersigned, call upon Premier Harris and the government of Ontario to reconsider its announced decision to introduce the most insidious form of gambling, video lottery terminals, to restaurants and bars in the province."

I attach my signature to this worthy petition.

COLLEGE OF TEACHERS

Mrs Elinor Caplan (Oriole): I have a petition to the Legislative Assembly of Ontario.

"Whereas the public secondary teachers of Ontario have taken a workplace democracy vote in accordance with Bill 7 and have rejected the proposed College of Teachers by a 94.8% vote,

"We, the undersigned, urge the provincial assembly to instruct the government to withdraw Bill 31, the Ontario College of Teachers Act, 1995."

I present this petition and sign my signature.

GASOLINE PRICES

Mr James J. Bradley (St Catharines): I have a petition that reads as follows:

"Whereas since March 1996, gas prices have increased on average a dramatic 10 cents a litre, which is over 45 cents a gallon;

"Whereas this increase in the price of gasoline has outpaced the rate of inflation by a rate that is totally unacceptable to all consumers in this province because it is unfair and directly affects their ability to purchase other consumer goods;

"Whereas Premier Mike Harris and Consumer and Commercial Relations Minister Norm Sterling, while in opposition, expressed grave concern for gas price gouging and asked the government of the day to take action;

"We, the undersigned, petition Premier Harris and the government of Ontario to eliminate gas price fixing and prevent the oil companies from gouging the public on an essential and vital product."

DELLCREST CHILDREN'S CENTRE

Mr Mario Sergio (Yorkview): I have a petition addressed to the Legislature of Ontario. I'll read it as such:

"Whereas the Dellcrest Children's Centre is planning to open up a 10-bed open custody residence for troubled

children and youth at 182 Dowling Avenue in south Parkdale; and

"Whereas the residence is an inappropriate site for rehabilitation of troubled children and youth because it is within walking distance to illicit drug and prostitution activities, a large number of unsupervised and supervised rooming houses that are home to ex-psychiatric patients, parolees, and our society's most vulnerable and ostracized members and a number of licensed establishments that have been charged with various liquor infractions; and

"Whereas the Ministry of Correctional Services and the Dellcrest Children's Centre have decided not to hold open discussions with our community prior to the purchase of this house for the purpose of an open custody residence; and

"Whereas the decision to relocate also expresses a total lack of regard towards our community's consistent and well-documented wishes for the Ontario government to stop the creation and relocation of additional social service programs or offices in an area that is already oversaturated with health and social services for disadvantaged, troubled and disenfranchised people;

"We, the undersigned residents and business owners, urge the Ministry of the Solicitor General and Correctional Services to suspend plans to relocate the open custody residence for troubled youth until a full review of the Dellcrest Children's Centre decisions can be conducted and explored with us, so that alternative locations can be found which are more appropriate."

I agree with the petition and I'll affix my signature.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr Laughren from the standing committee on government agencies presented the committee's 11th report.

The Speaker (Hon Allan K. McLean): Does the Chair wish to make a short statement?

Mr Floyd Laughren (Nickel Belt): No.

The Speaker: Pursuant to standing order 106(g)11, the report is deemed to be adopted by the House.

STANDING COMMITTEE ON ESTIMATES

Mr Cordiano from the standing committee on estimates presented the following report:

Senior Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries): Pursuant to standing order 59, your committee has selected the estimates, 1996-97, of the following ministries and offices for consideration —

Interjections: Disperse.

Senior Clerk Assistant and Clerk of Journals: Disperse.

The Speaker (Hon Allan K. McLean): Pursuant to standing order 60(b), the report of the committee is deemed to be received and the estimates for the ministries and offices named therein as not being selected for consideration by the committee are deemed to be concurred in.

Is it the pleasure of the House that the motion carry? Carried.

1520

INTRODUCTION OF BILLS

TAX CREDITS AND ECONOMIC STIMULATION ACT, 1996 LOI DE 1996 CRÉANT DES CRÉDITS D'IMPÔT ET VISANT À STIMULER L'ÉCONOMIE

Mr Eves moved first reading of the following bill:

Bill 70, An Act to provide Co-operative Education and Film Industry Tax Credits, to create Economic Growth, to implement other measures contained in the 1996 Budget and to amend certain Acts administered by the Minister of Finance / Projet de loi 70, Loi créant des crédits d'impôt pour l'éducation coopérative et l'industrie cinématographique, favorisant la croissance économique, mettant en oeuvre d'autres mesures mentionnées dans le budget de 1996 et modifiant des lois dont l'application relève du ministre des Finances.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

ORDERS OF THE DAY

EMPLOYMENT STANDARDS IMPROVEMENT ACT, 1996 LOI DE 1996 SUR L'AMÉLIORATION DES NORMES D'EMPLOI

Resuming the adjourned debate on the motion for second reading of Bill 49, An Act to improve the Employment Standards Act / Projet de loi 49, Loi visant à améliorer la Loi sur les normes d'emploi.

Mr John O'Toole (Durham East): It's a pleasure today to rise again to resume the adjourned debate on the motion for second reading of Bill 49, An Act to improve the Employment Standards Act, introduced by the minister, Mrs Witmer.

In preparation for this discussion, I have to draw to the members' attention, to connect it up to last Monday, Mr Tascona, the member for Simcoe Centre, was speaking, and I must remind members that Mr Tascona was a practising labour lawyer of some expertise in this area and draw members' attention to the member for Beaches-Woodbine, who made some comments which I responded to, I might add, on Monday. I would draw that to members' attention.

In preparation, again, the debate really focuses on establishing some sort of fairness and balance in the workplace. The Employment Standards Act today does not reasonably address the changes that are taking place in the workplace. In that regard, section 32 of the bill — actually, I would like to show members a copy of the bill. The bill is a very small, impressive piece of legislation, and it's meant to be an introduction to changes to the Employment Standards Act. The section I want to talk about this afternoon is the limitation period, which seems to have arisen as a concern to the opposition.

Section 32 amends section 82 of the act. What it says is that in a proceeding under the act, no person is entitled

to recover money that became due to the person more than six months before the date on which the facts upon which the prosecution or proceeding is based first came to the knowledge of the director.

Our response to that is that the time limit today is currently two years, and that creates in itself an administrative problem, and it's unduly prescriptive to those people working in the ministry trying to solve the problems for workers in Ontario. The reduction of the two years: Our response is that the two-year time period which presently exists is excessively long, the effect of enforcement of the act is extremely costly and difficult to investigate, the alleged violations accumulate, the time spent in trying to investigate is hampered by factors such as witnesses being available and the employed workforce in the workplace may have indeed changed hands. Investigation of older claims imposes a large administrative burden on the Ministry of Labour which does not result in any kind of reasonable equity for the claimants themselves, that is indeed the worker that has the claim.

In addition, the inappropriate amount of time and effort required on these older claims detracts from the ministry's ability to investigate other claims. So changing the period of time from the present two years to the current period is, I believe, effective use of taxpayers' dollars. Other provinces across Canada, by the way, have a similar claim period, the six-month claim period, so we're only bringing our Employment Standards Act up to a more recent —

Mr Ron Johnson (Brantford): Bringing them in line.

Mr O'Toole: Yes, bringing them in line with other workplaces, really, to be competitive not only in Canada but indeed in the global economy.

Mr John L. Parker (York East): A national standard.

Mr O'Toole: Yes, a national standard. This is really what we should be working towards. As I said, I appreciate the comments by my fellows here, kind of keeping me on track.

The time period in which an employee can recover moneys owing to the recurring violation will still be longer than the claim period. The employment standards branch will pursue up to one year in back pay.

I've got to stop here, because really the most important thing I've heard that the opposition have said in their comments is that these changes are draconian; I know the member for Hamilton Centre is always very critical of our "draconian" measures. But really, the minister has said very clearly in her announcement that this does not alter minimum employment standards for the people of Ontario. It introduces flexibility and it brings the whole Employment Standards Act up to date on behalf of the people of Ontario.

With respect to claims, if the claim period has expired, employees will still have two options. They may go to court or they may use alternative dispute mechanisms. This would be good for the workplace of Ontario. Clearly the answer is yes, shortening the time period for making claims under the Employment Standards Act and the notice period, speed-up of claims and resolutions and the whole process will be brought into a more accountable, responsive form for the people of Ontario. This is because shortening the claim period will significantly

lighten the administrative burden to the Ministry of Labour and make better use of taxpayers' dollars.

Mr Ron Johnson: More with less.

Mr O'Toole: Yes. Therefore, I would like to give my full support to the changes introduced to the Employment Standards Act by the Honourable Elizabeth Witmer, Minister of Labour. It is my firm belief that these changes will encourage a more effective administration of the act, and more effective enforcement of the act will benefit all workers in Ontario.

I had a couple of other comments that I wanted to refer to, but yesterday in the House we had the introduction of the Red Tape Review report, the updated report, where I think eight ministers actually introduced the elimination of barriers to growth, the elimination of red tape. Each one of those barriers actually prohibits or restricts the competitive nature of Ontario.

This is just one more attempt by one of our ministers to upgrade Ontario, to make us competitive. The Employment Standards Act needs to be updated; there's no question of that.

I want to assure members that there has been wide consultation on this process. If I could draw members' attention to the background document, starting in 1991, our now Premier issued A Blueprint for Economic Renewal and Prosperity in Ontario. So this consultation serves as a long basis of trying to consult with the people of Ontario. Indeed, as a member of the Red Tape Review Commission, I am actually consulting with members of the workforce in my riding. The labour-management group from OPSEU: I've spoken with those members. I've spoken with the Ontario separate school trustees, the Ontario English Catholic Teachers' Association, the OSSTF, the secondary school teachers, the power workers, and that consultation process tells me that the membership, the working people in Ontario, are ready to make changes. They want to participate in making those changes.

There's another important book in January 1995, part of our consultation process, Creating Jobs through Small Business, this report again widely consulting with the people of Ontario. It might be important just to draw to your attention what they found. The consultation is that they had to look at changes to not only the Employment Standards Act, but indeed the Labour Relations Act. That's what we did. We listened and we did what the people of Ontario wanted. Bill 40, we all know, was rescinded. In fact, we changed it completely in response to the people of Ontario. In fact, the whole NDP labour approach was restrictive. It caused Ontario to be less competitive. This was a widely held belief.

1530

If I look back to my notes — I always like to use the book that everybody —

Interjection: The red book?

Mr O'Toole: The red book. It doesn't mean anything now but it still forms the base of policy that we're listening to. I'm going to quote from it. It says, "For every week that Bob Rae" — NDP — "has been Premier, Ontario has lost nearly 1,000 jobs." They go on to list a number of reasons for that, but most specifically, just to quote from page 17, for "Restoring Balance in Labour

Relations.” That just talks about the balance we’re trying to bring back where the leadership of management, the union and the workplace are the right parties to get involved.

One upgrade in the Employment Standards Act is allowing collective agreement, negotiating fair and reasonable conditions for the workplace, but the decisions and collective agreements must not deliver less than those standards in the Employment Standards Act.

I could go on but I think it’s important to look again and review the act a little bit. I’m going to read a section that I think is very important that explains what the collective bargaining process and the Employment Standards Act really do. Subsection 4(3) says, “A collective agreement prevails over section 58 and parts IV, VI, VII and VIII...if the collective agreement confers greater rights relating to hours of work, overtime pay, public holidays, vacation....” We cannot usurp the benefits that the employees of Ontario have accumulated over the years but we must recognize that there are changes in each workplace.

Public sector firefighters, for example, work some 10-hour shifts, 12-hour shifts. Technically, that’s not permissible without exemption from the current act.

Vacation pay is another important thing. This is section 28:

(1) “Every employer shall give a vacation of at least two weeks to each employee upon the completion of each 12 months of employment, whether or not the employment was active employment.”

What they mean by that somebody is on maternity leave or parental leave is still entitled. That’s part of their earned-up entitlement.

“(2) An employer shall pay vacation pay to an employee entitled to a vacation under subsection (1).

“(3) The vacation pay must be not less than 4%....”

It’s not taking away; it’s outlining, streamlining and improving the current Employment Standards Act.

There’s ongoing dialogue right now, and I believe there’s going to be a white paper submitted by the minister some time over the summer for wider consultation with the OFL, Gord Wilson, and other important participants in the workplaces of Ontario.

Subsection 42(4): “The period of an employee’s pregnancy leave or parental leave is included in any calculation of his or her length of employment” whether active or inactive or length of service, “or seniority, for the purpose of determining whether he or she has a right under a contract of employment.” That’s a clarification entitling those people on parental leave to have that time contribute towards the length-of-employment calculation. That’s very fuzzy under the current act.

I could go on. Much of this is housekeeping and routine, but in terms of responding to those needs in the workplace I think it’s timely, it’s responsive and it addresses an outdated act.

I could go on, but one other subtle important change — the NDP actually dismantled the collection agency. It became rather dysfunctional. In fact, they’re way behind in collecting on decisions or orders that had been made. “‘Collector,’ means a person...who is”

empowered or “authorized by the director to collect” outstanding amounts under orders of the act.

The director, by the way, can enforce — this is something new — that the cost of getting the collection done isn’t carried by the taxpayer of Ontario; it’s going to be paid for by the neglectful employer. The persons who are responsible are going to pay for the collection. I think that’s a very important change, a saving, doing more for less.

The Ministry of Labour spent an inordinate amount of time trying to collect these claims when that money for all those collectors was being paid for by the taxpayer. Now the person who’s been delinquent in complying with the act is going to pay to make sure that we deliver on the commitments. That’s really what we’re trying to do. We’re trying to deliver for the workers of Ontario —

Mr Parker: Fairness.

Mr O’Toole: Fairness in the workplace and fairness in the process by making sure that it’s a sustainable system, that it’s a system that’s affordable for the taxpayers of Ontario.

Mr Parker: A system that’s effective.

Mr O’Toole: Effective. Exactly. My peers here in the Legislature are certainly helping me through this troubled time that I’m not completely prepared for. But I think “restoring balance” is a very good line to remember. I also think there should be no less than what the standards are today in any collective agreement.

I’m repeating myself here, but we’ve addressed the change in time from two years to six months. I think that’s a reasonable and fair thing to have done. We’ve also addressed the whole idea of collection. Now it’s going to be more timely and paid for by the delinquent employer.

We’ve also addressed that there will be no less than exists in the Employment Standards Act today. I would believe that this is a two-phase process of upgrading and updating the Employment Standards Act. I’ve mentioned that. The bill does not weaken any current standards. It’s very important that people in Ontario understand that.

I’d like to continue but, in all fairness, it’s my responsibility to attempt to share some of this time with the members.

Mr Bud Wildman (Algoma): No, no. Go ahead.

Mr O’Toole: If I’m being encouraged to continue, I have lots of material here, Mr Wildman.

I think, in a wider scale of things, that the minister has gone out of her way, as this government has gone out of its way, to eliminate the barriers to growth and to create jobs and hope and opportunity. This is just one of those pieces.

Mr Mario Sergio (Yorkview): Where are the jobs?

Mr O’Toole: The jobs are created not by the government, as the previous government thought, and as indeed the Liberals thought — that spending money will create jobs. It doesn’t. In fact, when we spend money, we have to tax more, and as we tax more we become less competitive as a province. We have higher tax rates than most of our competition. We’ve got to become competitive to allow it to be an efficient, effective workplace for investment to create jobs. It’s a wrong perception that the public sector actually creates jobs. It doesn’t really create

jobs. It creates a climate for investment and hope and opportunity which in itself is jobs.

One example of that would be that in the recent budget, Minister Eves announced the elimination of the employer health tax. That's a tax on job creation. I think the elimination of red tape, barriers to jobs, is another thing we've done.

The reform that's under way with the Workers' Compensation Board: The minister answered a question today in the House. They have a tremendous liability. That liability is a debt that all of us share, not just the workers of Ontario, the injured workers. We need to re-establish the consistent funding in those areas.

I say the Bill 40, the changes to the Labour Relations Act, was a very, very important elimination of a barrier to opportunity for working people in Ontario, which includes me, by the way.

I do admit in Durham East, with the Hydro workers and General Motors and people who work for the government, OPSEU members, they're citizens; they're people I try to represent. They always say we're trying to give away something to our rich friends. My friends are the people who live and work in my riding, and that's really what this is about. I am available in my constituency office to listen to the board of trade or to the union management team. That's the people I want to represent.

Mr Parker: This is a very accessible member.

Mr O'Toole: Yes, a very accessible member. At that point and with those points being made, I thank you for this opportunity to speak on Bill 49 and hope this contribution has clarified for the people of Ontario some of the misconceptions, the platitudes that have been announced by the opposition today and during this debate.

The Deputy Speaker (Mr Bert Johnson): Questions and comments.

Mr James J. Bradley (St Catharines): Thank you for the opportunity to comment. What the people of Ontario should know — and they get a chance to watch this through their television sets if they have cable TV — is you just watched a true believer. This is a true believer on the other side, one of the right-wing republican guard that is now dominating the government benches.

The people who are losing their jobs in St Catharines at Foster Wheeler, at Thona, at Mott's beverages, at Kelsey-Hayes, at Court Industries, at ITT Aimco and at General Motors, as well as those who have lost their public sector jobs, will wonder why the government would be spending its time on this piece of legislation when indeed there would be more important work to be done to ensure there are job opportunities in our part of the province.

1540

What happens with this legislation is that the government brings in, as the member characterizes it, a fairly routine bill, although if you look carefully at it there are some worrisome portions of this bill. They bring in a somewhat watered-down version of what they would like to have brought in, but the real hammer is coming a little later on. The member did not mention in his speech that the major revisions that will come to the Employment Standards Act and other labour legislation, in the fall of

this year very likely, will have far greater ramifications. They will not create the balance that the member speaks of but will create an imbalance and will not be in the best interests not only of industrial workers and those represented by unions or non-unionized workers in our province, but also the people of the province as a whole.

That's why this legislation is not going to make a significant contribution to the future of this province. I know all of the workers from the plants I have mentioned will be wondering where their jobs have gone under the Mike Harris government, because that's when they all disappeared.

Mr Parker: I was very impressed and somewhat taken by the remarks of my friend and colleague from Durham East. I thought he spoke eloquently and very well on all of the subjects that he touched on.

I want to comment on one of his remarks in particular. That was his comment that reducing the time limit from two years to six months brings Ontario into line with the rest of the country. That's a point that bears repeating and bears some dwelling on, because there's no reason why Ontario should be out of step with the rest of the country in this respect. I think it's only appropriate that Ontario bring itself into conformity with the rest of the country on this one so that the rules that apply in other provinces across the country are in line with the rules that apply in Ontario and we are uniform across the country with, as it were, a national standard for matters of this sort.

There's another reason why six months is an appropriate term. What we have found with a two-year term is that the employees are drawn into an artificial sense of security because they are lulled into a sense that it is not important to proceed on a timely basis. They are lulled into a belief that it's perfectly appropriate and perfectly acceptable and perfectly adequate to delay bringing proceedings, and then what do they find after a year or a year and a half? They find that the witnesses are gone, the facts are hard to find, the documents have gone astray and it's hard to pursue a case. The cases moulder and moulder in the files, the backlogs increase, and the cause of justice is not served and the cause of the worker is not served.

Imposing and requiring a six-month time period is far more reasonable. It focuses everyone on the matter at hand, it focuses everybody on the issues while they are fresh and it gives everybody a chance to move the case along in a timely fashion while the facts are fresh in everyone's mind and while they can be dealt with in an expeditious and effective manner. I think that in itself bears an important emphasis.

Mrs Sandra Pupatello (Windsor-Sandwich): I too have to comment, as did our member for St Catharines, on the kinds of projects and activity that are brought forward by the government for us to debate here, and in fact that you are prepared to go and hold public hearings on issues like this act.

There have been several items that deal with labour relations in Ontario where not that long ago you refused to take part in public hearings. The labour community said to all of you, and I'm sure would have said to the good member for Durham East, had he been consulting

with those labour representatives at that time, "We would dearly have loved to have public hearings on Bill 7," for example. I would suggest that at that time the door was not open to your labour groups from Durham, nor was the telephone available to them. And now, while you may have learned your lesson the hard way in terms of being consultative with people, this act, even though some of it is indeed is procedural and administrative, there is some meat here that really should be addressed, and I do hope that later I will get an opportunity to do that. But in terms of direction, I do feel that sometimes we've got the cart before the horse.

Bill 7 was a significant change for Ontario as we deal with the labour people of Ontario — no hearings. All of a sudden you wanted to have hearings on a bill which we would admit that at least half is indeed procedural and administrative. So I question that while the good new member from Durham would like to say how open he is to listening to his people, I would suggest that he really hasn't been doing that from the beginning, and I trust that in future in his own community he will begin to listen to the labour leaders from Durham East.

The Deputy Speaker: Comments and questions?

Mr Wildman: I listened to the comments from my friend from Durham East with interest. I must say that I had a little concern about a couple of things that he said. First, he indicated that this was just an attempt to harmonize and make certain that the people of Ontario, the economy of Ontario, was competitive with other economies and therefore this was an attempt to harmonize.

I have a problem with that term "harmonize," almost as much a problem as the Minister of Finance has with it when it is brought up with regard to the GST, because what it basically means in the context of this government is to harmonize downward, that is, Ontario never can have higher standards than anywhere else. Ontario could never lead. Ontario must not have standards that are in any way better than Prince Edward Island or Newfoundland, or, heaven forbid, I suppose, could not even have standards which would somehow outpace Mississippi or Alabama, because somehow we would be not competitive.

There's a time to lead, there's a time to show by example, work by example, to protect people in this province and to encourage other jurisdictions to follow your lead. Also I'm concerned that the government maintains the argument these are largely minor changes and that they have indeed consulted widely about them. The fact is that they consulted certainly with the business community, but they did not consult with the people who are most affected.

The member said he's talked to members of the labour movement from his own riding. That's commendable. But why is it that government hasn't dealt with those people who are elected by the labour movement to speak for the labour movement?

The Deputy Speaker: The member for Durham East has two minutes.

Mr O'Toole: I'm flattered by the number of people who have quite competently responded today. It shows to me that they've been listening, and indeed they should be

listening. I just want to make sure I acknowledge each one of them.

The member for St Catharines, Mr Bradley, a senior member here, is worried about the workforce in St Catharines, and well he should. I think all of the workers in Ontario are worried because we're really not competitive. We have to be competitive, and that's what we've done with Bill 40 being changed and with the employment standards and further changes that you allude to. But I have confidence in the workers of Ontario. We have a skilled workforce; we have a knowledgeable workforce. We have the infrastructure with the resources, the talent, the hydro and the power. All we need to do is be competitive.

I want to thank my partner here, Mr Parker from York East, who really did say it better than I did, although he's a trained lawyer so he knows how to say things more succinctly.

The member for Windsor-Sandwich, Sandra Pupatello, I often chide for championing, trying to be — but she's in the House today. She's one of the people who might be the leader of the Liberal Party, but she's in the House here. There are very few people across the floor from me, but I commend you for being here. But I think I'm really not too sure what your point was, because you tend to be on both sides of the issue. That flip-flop is going to haunt you.

I also want to recognize the member for Algoma, a good friend, a person who really I can learn from. I think we can all learn from his leadership. But when he has trouble with the term "harmonization," really he has to recognize that we have to become more competitive. I think they would agree with that. I'm completely convinced they would agree with that.

I want to conclude, making sure the people of Ontario understand that this is a two-phase process to amend the Employment Standards Act. This is the first phase. Also, there's no weakening in the minimum standards, what we're trying to do is streamline the process for the working people of Ontario. I want to thank you very much for helping me to make those points today.

The Deputy Speaker: The time has expired. Further debate?

1550

Mr Sergio: I'm pleased to join the discussion on this issue here, the so-called Employment Standards Improvement Act. I would call it the Americanization of the employment standards in the province of Ontario. I was going to make three, four points briefly, but I think I'm going to make five or six, after I heard the last speaker over there.

In all honesty, if I were a worker in Ontario today, I would be seriously and terribly worried. I would be worried because from one day to another I have no idea what this government is going to do to the workers of Ontario.

What we have heard is that they wish to create, by bringing in legislation such as this, fairness and balance in the workplace. Then they point to page 17 of the so-called red book where we are saying that we want to create a fair balance within the framework of the workplace in Ontario. Some if it, sure, is rhetoric, and

some of it is just simple, procedural issues, but my dear people on the other side, you don't realize that bit by bit you are totally decimating the workplace for the workers in the province of Ontario; that's exactly what you're doing here. If I were a worker in the province of Ontario —

Mr Ron Johnson: You're not.

Mr Sergio: — I would be trembling, I tell you, because what you're doing is —

Mr Ron Johnson: You're not a worker. You're on permanent vacation.

The Deputy Speaker: Order.

Mr Sergio: Mr Speaker, I don't mind having members disagreeing with what I have to say, but I tell you, if they get nasty, it's only nasty towards the workers and the people of Ontario.

What they're doing here — and I'm pleased that the member for Durham East has said it best — if they want to create a climate for employment, surely for the companies south of the border, this is what they are doing. That's where the Premier is at, creating a climate for investment for the people south of the border; nothing more, nothing less.

I wonder when the Premier, when the Minister of Labour, when some of the members on the other side have visited one of those working places where now, because of lack of jobs, workers in Ontario are working for minimum wages. Is this the fairness, is this the balance we want to create within the workplace? With all due respect, my dear members, I think the scale is tilting towards the employers, the big business people, and it's completely tilting away from the workers of Ontario.

The changes you are proposing in this particular Bill 49, these amendments here, are supposed to create a better environment for the workers in Ontario. This is not the case. It is clearly not the case.

Having said that, it doesn't mean we are saying, "No, don't do anything." We recognize that the system is archaic, that the laws haven't been changed for a number of years. Yes, indeed, we do need some changes, we do need some improvements, but the reality of the fact is that you people are going too far. And this is not the end of it. You have said it yourselves, "This is not the end of it."

We have already seen the devastation with Bill 7, the so-called Labour Relations and Employment Statute Law Amendment Act. We have seen it with Bill 8, the Job Quotas Repeal Act. We are seeing it with Bill 15, the Workers' Compensation and Occupational Health and Safety Amendment Act. We have seen it already, so no wonder the workers are in a panic out there, are afraid out there. No wonder we continue to expand south of the border and say: "Come. We are preparing a good cushion for you to come and invest and work in Ontario."

Even today, when the member for Renfrew North asked the question, "How are you going to deal with protecting jobs in Ontario across the border from Quebec?" what was the answer? I'm asking the member on the government side, what was the answer from the minister? "We will be looking at it."

With all due respect, the existing situation has been in place for a number of years. This government is celebrat-

ing one year in power. What have they done? They are not even aware of what's going on.

There is one company here that just lost a \$2-million bid to a company from Quebec. And we have just heard that they are coming to buy equipment, products, material in Ontario under a Quebec address. The material is never being shipped to Quebec; it's staying in Ontario. But they are getting away with paying the 8% at the cost of the people of Ontario. It's a big problem.

So this is what the law that they are presenting is supposed to do. In fact, it is working against the workers of Ontario. And where's the fairness? Where is the balance? Which means that the scale is tilting towards those companies, north and south of the border. It's tilting towards the large companies, to the detriment of the workplace and the workers.

The workplace is one matter. The workers, it's another. And I think that's where the buck should stop. What does this legislation — I'm asking the minister, I'm asking the Premier, I'm asking the members on the government side — what does this amendment to this legislation here, this Bill 49, do to improve the working relations between the workers and the employers? What does this do to improve the safety in the workplace? What does this do to make sure that health conditions are safeguarded in the workplace?

Let me tell you that there are plenty of industrial places out there that shouldn't be having any work going on in there, let alone workers, and they are standing up because they just can't afford either to fix them, hardly to pay their taxes. Competition is too stiff. They don't make enough money. They lack proper equipment, ventilation and stuff like that. Those are the things that we should be concerned with.

What this act is proposing, the way it is presented, is that the Minister of Labour is proposing a number of what they call administrative and procedural changes to the Employment Standards Act. Also, the government argues that the impact of these changes will be greater: simplicity and promptness and effectiveness in the enforcement of the act, more flexibility in the resolution of complaints, and greater self-reliance in the workplace. In fact, taken together, the proposed amendments reduce the ability of the province to establish minimum standards within the labour standards administration.

So if this reduces the standards, who established them? If the government does not retain any control with respect to employment standards, who controls them? The workers? No; the employers. They can do whatever they want, practically. They can do whatever they want. This is another area. We have seen it with the insurance field. My goodness, we have seen it with that: abdicating their responsibility. This is another area where the government is abdicating their control, their responsibility, and now they are giving it to the corporations, the employers. And who is looking after the employees? Who is looking after the workers?

What was gained through many years on behalf of the workers will be lost, will be washed away immediately with the passage, the approval, of this law.

Mr John R. Baird (Nepean): Rushed through immediately.

Mr Sergio: Absolutely, absolutely. You said it yourself. You approve these amendments, you change this law — goodbye. Goodbye protections. Where are they going to go to appeal? Oh, sure, they will talk among the employers, some representatives, in the hope that they can satisfy their concern.

Mr Baird: That's why that's called collective bargaining.

1600

Mr Sergio: Yes, indeed: consultation. This is one famous phrase, one famous word, that we hear all the time from the government, "We have consulted." Well, whom have they consulted? I'll tell you —

Mr Baird: Four weeks of public hearings —

Mr Sergio: Four people? Four? Yes, indeed, four people. They have consulted four people, yes.

If they were to present these amendments to the workers of Ontario, they would reject them, they would refuse them, as this is taking away whatever is left as protection in the workplace for the workers of Ontario.

Mr Frank Klees (York-Mackenzie): On a point of order, Mr Speaker: I think the record will show that the honourable member misrepresented a comment that was made by a member here, saying that there were four weeks of hearings, and the member read into the record that there were four individuals who were contacted. I think that record should be corrected.

The Deputy Speaker: That is not a point of order.

Mr Sergio: I welcome the opportunity to be interrupted, Mr Speaker. When the other side is saying, "Four, four, four," I read "four." Now, what this means, I have no idea. But I appreciate the interruption.

When they speak of housekeeping — that's all they are, just housekeeping, cleaning up, stuff like that. How do you expect to conduct housekeeping, cleaning up, real stuff like that, when you totally forget about the welfare of the workers of Ontario?

As I said, I was only going to speak for a couple of minutes and make a few points, but I have to say frankly that the scale, with the approval of these amendments, will be tilting completely away from the employees —

Interjections.

Mr Sergio: Yes, absolutely. I'm doing okay. My time is doing well and I would invite any member from the other side to visit some of the places, the workplaces, where the real worker —

Interjection.

Mr Sergio: Really, Mr Speaker — and visit those places, and then come into this House and say, "We are really doing something for those workers, for those conditions, working in those areas."

I am going to end up here and allow some more time for one of my colleagues to speak on it. But, I'll tell you, as they say, this goes too far and it cannot be supported. If I were a worker in Ontario, I would continue to be very apprehensive when the government is leaning towards approving this particular law.

The Deputy Speaker: Comments and questions?

Mr Ron Johnson: Just commenting to the member for Yorkview on his comments, I have to say that he didn't make half as much sense as the member for Durham East did, and I think that's evident in the way the member for

Durham East has really talked to a lot of constituents in his riding. I know that many of us on the government side have done that throughout an extensive consultation process. Had the member across the way done the same thing, I have a very strong feeling that he wouldn't be saying the things he's saying here today.

I want to talk briefly about the misconceptions that the member is trying to do, the fearmongering that he's trying to do to the people of Ontario. I refer to his accusations of erosion to employment standards, and it's important to recognize that this legislation does not erode employment standards one bit. In fact, what it does is allow for much more flexibility. I think that's something both workers and employers have been looking for, for a very long time.

He said in his comments that he recognized that the system before this piece of legislation as it currently stands is extremely archaic. But what he fails to admit is that he wouldn't have the courage, nor would his party have the courage, to take on the tough decisions and make the amendments that are necessary to make this legislation effective for the working people of this province. Certainly, I'm very proud to be part of a government that has the courage to make those tough decisions. The bottom line is that if his party was in government we would certainly have the most archaic labour laws in the entire country today.

I think it goes right back to job creation, which is exactly what all this is about. This is about job creation. I look at the Honda plant in Alliston, I look at the auto parts sector from Magna, I look at Northern Telecom in Nepean, which the member John Baird represents very well down here at Queen's Park. I look at the kind of job creation we're seeing and that is a culmination of all our efforts here on this side of the House, and this piece of legislation is simply going to add to the enhancement of job creation in this province.

Mrs Pupatello: I want to compliment our member for Yorkview for expressing his views and those of our caucus regarding this legislation that's been brought forward.

I want to mention that our member for Yorkview is correct. Mario Sergio indicates that the government is trying to say this bill has something to do with job creation and that in fact this is simply not the case. They may suggest there's some kind of misrepresentation, but the truth is that on a daily basis we have reports of job loss after job loss after job loss.

We want to look no further than perhaps the area of Brantford. Let's look at what's happening in the community of Brantford and suggest that, for example, is the member for Brantford truly having a good look in his own backyard? What will this have to do, in terms of the Employment Standards Act, with job creation in Brantford? I would welcome a discussion with people from Brantford. I think there are going to be many who concur with me. This doesn't have anything to do with job creation.

It's as our member for Yorkview, Mario Sergio, indicated; he is dead on. In this government not only do we have the true believers who are up today — I like to call them the ones who drink the purple Kool-Aid,

actually; in any event, that's a joke. What they're doing is passing it off, as they've done many other pieces of legislation: euphemisms, one word that truly means another. The government is intent on hanging the balance too far in favour of their big corporate friends, and someone unfortunately has to look out for the workers of Ontario.

Mr Baird: The member opposite talked about those of us on this side of the House who are the true believers. We're all true believers. We believe Ontario's best days are ahead. We believe we can create jobs in this province and restore hope and opportunity. I appreciate why members of the Liberal Party aren't true believers because they have no beliefs, nothing to believe in.

Mr Steve Gilchrist (Scarborough East): Flip-flop.

Mr Baird: The flip-flop, as my colleague from Scarborough East mentioned. We always enjoy listening to the member for Yorkview's speeches. He talked about consultation. We are undertaking a very broad review of the Employment Standards Act. The consultation process will be almost a year long, wide-ranging. We've already had some very good meetings with the labour leadership in Ontario. I agree with one of his caucus colleagues who said half of this bill is purely administrative and a good part of it is housekeeping beyond that.

My colleague from York-Mackenzie mentioned four appearances in terms of your comments. We're going to four weeks of hearings on this. I know the member for Windsor-Walkerville and I are equally as enthusiastic to have the opportunity to go out and get input on this bill before it comes back into law. We're equally as enthusiastic, I can assure the member for Windsor-Sandwich.

This bill is about streamlining government, it's about doing more with less, because we're not happy with the present collection ratio. We believe we can do a better job for workers in this province. That's why we're bringing in collection agencies to ensure that we do a better job on delinquent orders. These are delinquent orders for workers and these workers want their money. They have every right to expect it and not enough of them are getting it in Ontario. So this is good news for workers with respect to collection agencies, because we think we can do better for less.

The member opposite spoke about reductions in the civil service. We recall the red book, which talked about the Liberal reductions to the public service being only 1,000 less than this government's projections.

The Deputy Speaker: The member for Yorkview has two minutes.

Mr Sergio: I'm very pleased that they have been listening. It shows that they have been listening. The member for Brantford said it all. He said this is about jobs. Indeed, if this is about jobs, how come what you're doing is creating 25,000 jobs less?

Interjection: This is leadership.

Mr Sergio: God help us. If this is leadership, and you have fewer jobs now than three months ago, then go and tell the workers of Ontario what you're doing. Your own document shows that you will not be able to reach the job quota that you set in your own Common Nonsense Revolution. This is exactly what it is. Every bit of this legislation will take away jobs from Ontario workers, and

here they are saying that this is about jobs. My goodness, no one else more than you people — on a daily basis you say that you're going to create 725,000 jobs. If this is how you're going to do that, I really feel for the people, for the workers of Ontario.

1610

You have fewer people employed today than you had in January: 25,000.

Mr Baird: You're wrong, Mario.

Mr Sergio: I'm not wrong. Your own document shows that. Take a look at your document. It shows you exactly that. I am pleased that they're alive and well and they can see in their own budget document, the so-called business plan, it shows exactly that. So indeed this is about jobs. I hope that when it comes to the crunch they will really see it, that it's a job cruncher.

Interjections.

The Deputy Speaker: There's too much yelling and shouting. It's the purpose of this House to allow debate, the person that has the floor, and the rest are not allowed to. There's no rule to allow me to let that continue, so don't put me in that position unless you would like to.

Mr Rosario Marchese (Fort York): I am happy to have the opportunity to speak against this particular bill which I find offensive and which many workers of Ontario, unionized and non-unionized, find offensive as well. This particular bill is part — an integral part, I would add — of a corporate agenda shaping the social policy of this province. It's important to speak to this bill not in an isolated way but rather as it makes its contribution towards so many other things this government has done that continue its assault on the working people of this province.

If you see this in the larger context, as it should be seen, at the macro level rather than the micro level, then you will see that there is a pattern. I want to give you a whole long list and then come back to Bill 49 as a way of showing you how all these things interconnect as part of the larger corporate agenda of this province, of which the government is an instrument.

If you look at what this government has begun to do with the people on social assistance, it cut the benefits by 22%. It's an attack on the most vulnerable citizens of this province. It attacks the most marginal, those who don't have a voice and those who don't fight back against governments which obviously decided that they're an appropriate victim to attack.

They have frozen the minimum wage. Who, of course, works at those jobs where we're looking at minimum wage? It's the most vulnerable individual, who doesn't have a steady job, who can't find a steady job, the person who works in a cafe, the person who works in a restaurant, the person who is looking for a job but all that he or she can find is a job that pays minimum wage. So they're very vulnerable when it comes to their economic survival in this society. So this government has chosen, for the interests of the private sector and the corporate agenda, to freeze minimum wage to, as they say, create more jobs. We know that's largely mythical, because there is hardly the creation —

Interjections.

The Deputy Speaker: I'd like to remind the members for Nepean and Brantford that I'll not warn them again.

Mr Marchese: The jobs are not rolling in as some of my colleagues on the other side would like to believe. We have high unemployment in this province. It hovers at 9%, and I tell you that it's going to continue for years. That's very high. In spite of their promises to produce jobs, it's not working. It is not working. So we see an assault on the very vulnerable citizens who work at minimum wage, and this government has decided to freeze their wages, all to benefit the interests of the corporate classes that we have in this society.

Move on. Pay equity: They have dealt a heavy blow to pay equity. Who of course would benefit from pay equity policies that we've introduced in the past, and the Liberals as well? It's women who have benefited from pay equity, who have been traditionally underpaid for the work that they have done. That's why we've introduced it, as a way of equalizing the payments and the support to women who do the same type of work that others do, although different, but underpaid.

This government has decided to freeze those wage rates and to let them go down because it serves the purposes of the employers and it serves the purposes of this government as they are the instrument of the employer and the corporate sector of this province.

Moving on: They have dealt a heavy blow with their Bill 7 as they have repealed completely our labour laws. The anti-worker Bill 7 is seeing its evil deeds as we see it throughout the province, hurting workers in particular.

Employment equity is gone. We have known historically from all the research that is available that aboriginal people don't get the same treatment in society, and therefore are underworked and underemployed massively. We know that people of colour have not been treated with the same respect in the workplace and that they deserve equal treatment in the workplace, as every other worker.

Women have been in that category for many years, although the lot of women has improved, I would say, over the 20 years, but have suffered historically in society as it relates to employment practices and of course, people with disabilities. This government has decided to eliminate that kind of fair treatment for people who have been traditionally, historically not treated appropriately, and all to serve the business sector which was irked by this particular policy, this particular bill that we introduced as a former NDP government.

It goes on. The Advocacy Act has been repealed. Whom does the Advocacy Act protect? It protected the seniors who are very, very vulnerable in this society, it protected people with disabilities who are very, very vulnerable, but this too seems to have irked this particular government and so they've decided to repeal. Basic protections that we have given to working people in this province are slowly being eroded because they irk business and because they irk this particular government as well.

The Anti-Racism Secretariat is gone. Why anybody would remove that at a time when we know it's important — this government has decided that it irks them and it probably irks some other people who obviously support

them in the province out there, so they decided that too needs to go because we don't need that particular policy that gave greater protection to people of colour, and so that too is gone.

We have of course the cuts in education, in health and social services and they're massive cuts, because by next year, the cuts represent \$8.3 billion worth of expenditure reductions. It's massive and it's going to hurt everybody. In order to make the reductions they're talking about, they are eroding the kinds of safety nets that we have been used to for a very long time and want and many demand. It's what makes us very distinct from the Americans.

But gradually this government, this very reform-minded government, is going to eliminate that kind of infrastructure that we've had that makes us radically different from our neighbours to the south.

The income tax redistribution to the wealthy has been introduced by this government. I have given an example of what that means. Five bankers in this province earn over \$1.5 million. Five of them earning \$1.5 million will get a tax reduction of \$450,000. It is a redistribution of money that is taken from the poor and is given to those who don't need it and will not spend it for the purposes for which you wanted them to spend it.

This income tax cut does not serve those who are making a very modest living because they will get very little back and will have nothing to spend whatsoever. They will see very soon, as they get their income tax cut, that it contributes very little to that empty pocket. They will have nothing to spend, and the economy will continue to erode and sag for many years to come.

1620

This is an ongoing assault on the people of Ontario. We see the business agenda in every facet of our lives and we've seen business wanting a freer rein over the environment because they feel they're overregulated, and this government seems very willing to cater to that interest. Imagine that we might be overregulated when it comes to issues of the environment. How could we ever be overregulated when it comes to protecting the environment that eventually leads to good health or poor health, depending on how badly damaged the environment has been? But business says to this Conservative government: "Please remove those regulations. We're overgoverned and overregulated. Let us do what we want." You're catering to the business and corporate agenda that's setting and shaping social policy and you are the instrument of that policy. You, Conservative, Reform-minded government, are their instrument.

Bill 49 continues the assault on working people. The Employment Standards Act was there to prevent business from exploiting workers, both unionized and non-unionized, and you have decided, with all the other measures you've already taken, to continue the assault with this by eroding the standards we have around minimum severance, working conditions, hours of work, paid statutory holiday, parental leave and so on. These are important minimum standards that we have introduced because we know historically that there have been abuses. The Employment Standards Act is in place because abuses have happened. They take place, and for you to change

it is a problem and is part of the corporate agenda which you call streamlining, which you call efficiency, but it's an attack on working people.

I am convinced this is not what people have been asking you to do. We're not sure that some of you have consulted the garment workers out there and asked them what they think about this and how they have been treated by employers. I'm not sure you've done that kind of homework. You may have consulted some of your friends — no doubt — because it fits into the corporate agenda, but you haven't been talking to garment workers. They would tell you differently. They would tell you the abuses they've had to suffer over the years on this very issue.

This is an issue. This bill causes a great deal of concern not just to me but to many people in the province. This piece of legislation affects approximately six million people, unionized and non-unionized. We know that the workforce that is unionized out there is 34%, the rest is non-unionized, so you are affecting approximately four million people without a collective agreement. These are the very people who need the protections, particularly non-unionized workers, those workers who have no voice and no representation.

Who protects their working standards? Who is there to protect them once you introduce a bill that removes basic minimum standards? Who protects the people who have no knowledge of what their rights are? These are the very vulnerable people who work under difficult conditions and have no knowledge of what their powers or their rights are. Who protects them — under the name of streamlining, efficiency, competition or the promise of jobs? That's not going to work; that's not going to help these people. It will not help them one single bit, because they have no power. Employers have all the power. They dictate because they control employment, not the poor person who doesn't have a union, doesn't have a collective agreement, doesn't know how to speak English very well and doesn't know what his or her rights are. You are taking basic human, social protections away from them. That's not the kind of province these people want. That's not the kind of province most people of this province want.

One measure we're talking about here is that the bill involves a reduction in the time limit to file a complaint from two years to six months. Does this sound like a housekeeping measure to most of the people who are listening here today? Is it a minor change, a housekeeping change? We don't think so. Does giving people a shorter time in which to make a complaint or seek redress make the system more efficient for the person who has been aggrieved or hurt or injured by these employment practices that take away some of the rights they're asking for? It doesn't. How does it make it more efficient for a garment worker who is working at home, watching the children and working 40, 50, 60 hours a week?

Is six months enough time? It is for you who want to make it more efficient, because you want to fire workers in the ministry who would otherwise be doing this job, but it doesn't make it more efficient for the individual seeking redress who doesn't know at times where to

begin, who barely speaks the language and is frightened to come into a different country understanding what he or she might do. Where do they go, even when they know they're frightened, to seek redress? You're saying, "Let's limit the time from two years to six months." Whom are you helping when you do that? Certainly you cannot stand there and say, "We're helping that poor garment worker out there," because you're not doing that.

Interjection.

Mr Marchese: Ron, surely you know they're garment workers and they're badly mistreated and very over-worked. They don't get overtime or holiday or vacation pay. I know you're puzzled by all this, but you must talk to them as a way of understanding what you're doing with this bill, because you're hurting people like that, the sector that doesn't have anybody to be their voice. You're denying them access to the system; you're denying them access to pursue this in the best way possible where government should be the fiduciary of their rights and not passing it on to somebody else. You're taking those basic rights away.

Then you introduce a maximum dollar amount of what can be claimed, which is \$10,000. The seriousness of violations becomes irrelevant to you. If a worker were to seek redress and were to be entitled to \$20,000 or \$30,000, you say: "We're sorry, you're only entitled up to \$10,000. We don't seem to care whether you should be getting more. We've established a cap." How does that benefit the individual who's been affected or wronged if the benefits he was entitled to are more than \$10,000?

You argue that they can go to the courts. Isn't it wonderful to send individuals who don't know what their rights are, who don't know where to begin looking for their rights, who are afraid of the political system, who are afraid to talk to us and talk to governments because of whatever particular social, economic or political background they come from and don't know where to begin — and you tell them, "You can go to court and seek redress"? You don't seem to care whether they can afford it, let alone whether you think they're able to do that, because that's not part of your planning; it's not part of your thinking.

Who benefits from this measure? Certainly not the victim of this abuse of the Employment Standards Act. Who gains from this? Which side of this issue are you on? Are you for those workers, unionized and particularly non-unionized, or are you for the employer and the corporate business world out there, of which you are an instrument?

I say you're on the side of the corporate agenda, not on the side of workers, and this is a problem. It's a problem because you are legalizing the employer and the corporate sector to continue their abuses against working people of this province.

All I can urge the people of this province who are listening to do is to continue to fight back against this Tory government, against this Reform-minded government. Don't isolate the issues and think we're dealing with yet another little issue, that it's not important, because it's part of a larger agenda, and when you see it in a broader macro context you see that working people, working poor people and the middle class are being

assaulted by all of you here today and in the last year and for the next three years. So I urge the public that's watching today to fight back against this government.

1630

The Deputy Speaker: Comments and questions?

Mr Jack Carroll (Chatham-Kent): I'm always impressed with the words from our member for Fort York. I did want to correct a few things, though, that he said that I take a little exception to. He talked about us butchering the Pay Equity Act. I think we should know that this year we will put more money into pay equity than at any time previously in the province, and the only thing we've changed is the proxy system, which all of us know did not work very well. So we haven't done anything to negatively impact pay equity.

I want to talk about employment equity. Yesterday I had an opportunity to visit a plant in Weston, a large manufacturer of pharmaceuticals that employs about 2,000 people. They informed me that in their 2,000 employees, they have representatives from 79 different cultures, 79 different nationalities. They say: "We don't need employment equity. We hire the best person for the available job."

The other comment I want to make is about income tax redistribution to the wealthy. I don't know — \$3 billion of the tax cut is going to go to people making between \$25,000 and \$75,000 a year. I don't believe they are what we would term the wealthy in our province.

He asked us to choose sides: Whose side are we on? I would like the member for Fort York to know that we are on the side of an Ontario with a future. I don't mind him criticizing what we're doing; I think that's probably his role here. I would just like to recommend to him that in future he get his facts straight before he criticizes.

Mr Sergio: I compliment the member for Fort York on his usual passionate words. I have to also commend him on the fact that indeed he is speaking as a defender of the worker, especially those who are not unionized, in small shops and stuff like that. I think those will be the ones who will even suffer more than those who at least have some type of protection, some type of union.

If there was a message in what the member has said, I think he was saying that workers are in that situation today where they are working longer, they are working harder, they are working more, they are working more for less money, and the conditions are also deteriorating. When this happens and we see that there's legislation coming doing absolutely nothing to build confidence in the workers for their protection, for their safety, then of course we have to say, "What is being done with respect to protecting the workplace for the workers, for the safety, for the enjoyment, for the atmosphere in the workforce?"

Surely we are not saying just do one side and don't do the other. I think what we are saying is we have to create this balance. Sure, we have to have jobs, we have to create more jobs and we have to attract business to Ontario, but I think the first responsibility would be to look after the employers of the province or the workers of the province of Ontario, and I have to agree that the amendments as they are proposed will not do that and they are not supportable.

Mr Wildman: I just wanted to congratulate my friend from Fort York on his presentation and to say that it is a bit odd to have the member for Chatham-Kent argue that this government is doing more for equity in the province. He points to one firm which says that it has 72 different countries represented in its workforce. I wonder how many are represented in the management at that company and I wonder what this might mean for the future of the company.

He also says that this government — I think the term he used was "on the side of the future." Well, in my view, and I realize it's a biased view, the Conservative Party does have some options to present to the people of Ontario for going into the 21st century, but they aren't futuristic. In fact the basic thing is, even in dealing with this bill, they're talking about flexibility, not having regulations. They're talking about the invisible hand of the marketplace essentially deciding who achieves, who is successful and who isn't. That is not anything futuristic, that's 18th century, that's Adam Smith, that's laissez-faire capitalism. I recognize you're putting that forward, but it's hardly something that is new or futuristic. It is something that we recognize in western society has helped to bring progress but has also produced problems, problems that require regulation to protect those who are vulnerable, and this bill is taking away those protections.

Mr Baird: I'd indicate to the member for Fort York that this bill is part of a two-step process with respect to a review of the Employment Standards Act, the first being the bill we're debating here today. The second will be an approximately year-long consultation process, to see legislation come for the spring session next year.

The member specifically mentioned the garment workers in the province and the challenges they face in this workforce. I couldn't agree more: There are a lot of challenges in the garment industry. That's why we need an Employment Standards Act that's more reflective of the 1990s and ready for the next millennium. Simply put, I think there are challenges facing the garment industry: Often they are immigrant women working at home; even hours of work, let alone the minimum wage. It's an issue of fundamental human rights. Also — very secondary, by the way — it's an issue of competitiveness. We have one company which accepts its obligations under the Employment Standards Act and is put at a competitive disadvantage because the next guy cheats his employees out of rules. So there are two very important reasons why we've got to modernize the act.

That's something this government has already announced and will be following through on. We had a very productive meeting with senior labour leaders in the province of Ontario a number of weeks ago and are prepared to work with them to help modernize the act over the coming year. At this stage, this bill is the more short-term measure.

The member specifically mentioned the issue of the \$10,000 maximum. In 1994-95, only 4% of all individual claims were for more than \$10,000. These complaints were often for large wrongful dismissal claims by middle-level managers. Encouraging such claimants to find their own recourse will free up more ministry time to deal with

the claims from some of the most vulnerable workers in the province that the member spoke of. That's part and parcel of the goals and objectives of these reforms.

The Deputy Speaker: The member for Fort York has two minutes to respond.

Mr Marchese: I thank the members for Chatham-Kent, Yorkview, Algoma and Nepean for their comments.

I appreciate that the member for Nepean is obviously very sincere, as I hear him, about his concerns for garment workers, but the point I'm making is that Bill 49 obviously doesn't help at all. It doesn't help those workers at all. That's why we're here speaking against the measures you've introduced.

In fact, part of my concern is that the core commitments that guide these governments are commitments that seem to be quite consistent with the corporate agenda, which is what I've been arguing. That's my concern, because the corporate market agenda is going to drive a lot of people into some terrible times in the coming years.

I want to quote from a friend of mine, Ian Adams, who had an article in the Star today. He speaks of three different categories of people we have in this society: the possessor, the possessed and the dispossessed. He says: "The 'possessors' are the elite 20% who own and control most of the national wealth and income. The 'possessed' are the contracted former middle class. They are possessed by the banks, mortgage and credit card companies to an incredible 87% of indebtedness." Then of course we have the dispossessed, who are the very vulnerable, the poor who have been driven out of work etc.

These are the kinds of things we've got in this society: the possessors, those who own the wealth; the dispossessed who have been marginalized completely and further marginalized by this government; and the possessed. This is the class problem we've got, and this bill and every other measure I've talked about that this government has acted on is hurting working people who are in unions and non-unions alike. We're asking the people of Ontario to wake up to this kind of strategy which this instrument is part of.

1640

The Deputy Speaker: The member's time has expired. Further debate?

Mr Tony Clement (Brampton South): It's my pleasure to join in this very important debate this afternoon. I'm hoping my comments will generate light. I'm sure they will generate heat. The honourable members opposite will, I'm sure, let me know if that is the case. I wanted to concentrate my remarks, if it pleases the Chair —

Mr Wildman: Don't congratulate yourself at the beginning.

Mr Clement: I'll try to be a bit more humble next time.

I wanted to concentrate my remarks concerning Bill 49 on section 3 of that bill, which amends subsection 4(2) of the Employment Standards Act. This is the section that deals with allowing deals via collective agreements or other agreements between workers and managers that would prevail, if there was such an agreement, over the standards as found in the Employment Standards Act.

Honourable members should think of this particular section in a particular way, I would submit. Examples of labour flexibility could include such things as workers wanting more time around recognized holidays such as Christmas or other religious holidays that we have in our society now, in return for working more hours than was the case in the past throughout the rest of the year. That might be something workers might want to do in order to spend some more time with their families at very special times of the year, and this particular section would allow that flexibility.

I want to go from perhaps the particular to the more general and discuss what I think is an important aspect of this particular subsection of Bill 49, and that is, the importance of labour flexibility. Not only will I discuss the importance of labour flexibility for the economy and draw a connection between labour flexibility and job creation, but there are also arguments to be made for how increased labour flexibility is exactly in tandem with the demands of the modern worker, the demands of the individual worker, how she or he — and frequently now it is she — wants to access the labour market for her wants and needs as an individual in our society.

Let me first tackle the issue of the connection between labour flexibility and jobs. This is what connects this. That is the fine thread that connects this particular bill to what is absolutely at the focus of the government's agenda, namely, to create jobs and opportunity; once again in Ontario to create a land of opportunity.

The connection, I believe, is valid between labour flexibility and job creation, and in fact it has been documented, it has been studied, it has been reviewed not only in this jurisdiction, but for those who want to look in many of the other jurisdictions of the western world.

I would draw your attention to an interesting statistic I've dug up. Typically, what has happened in western Europe is that through the peak of each economic cycle there has been a certain unemployment rate and then when that cycle goes into a downturn that unemployment rate increases. What has happened over the last 20 years in Europe is that when they are in the down cycle when the recession is on, the unemployment rate for each of those down cycles has shown an upward progression; that is to say, more people get more unemployed more often as the 20th century has advanced.

But there has been an exception to that rule and that exception has been Great Britain where, through a number of changes that were instituted first in the Thatcher era and have continued since then, there has been a marked increase in labour flexibility in Great Britain. In fact, Britain is the only European nation that has shown a decrease in the upward level of unemployment in each successive down cycle, such that last year, while Europe was suffering from an unemployment rate of 11% in general, Britain had an unemployment rate of 8.3%. Nothing to be proud of, perhaps, but significantly better than a western Europe that includes such economic giants as Germany. So I would ask honourable members to keep that in mind.

Another interesting example I've dug up is comparing Alberta's unemployment rate to those of the near states in the United States: Idaho, Utah, Nevada and Arizona.

This is a different statistic; this is actually employment growth. I'd like to talk about jobs being created rather than unemployment all the time. Job growth, comparing Alberta to those southern states previous to Mr Klein's changes: The average of those 10 states south of the border showed employment growth of 11% to 15%, whereas in Alberta the rate was 4%. I think a very interesting statistic that shows increased labour flexibility — the United States is known as having the most flexible labour market in the world — meaning jobs, jobs for citizens.

I would draw members' attention as well to another example in Europe, because it's not only Ontario that has had a bit of a revolution, a "common sense" revolution. Spain is another interesting example. Spain has been going through some tough times. They've had 11 years of socialist rule, which is tough enough, I'm sure, but certainly their unemployment rate has been among the highest in all of western Europe. Spain has an official unemployment rate of 24%. That's the official rate. That means for those youth who declined to enter the job market, for those who gave up, if you added those on to Spain's unemployment rate, it would be far higher than 24%.

Mrs Pupatello: On a point of order, Mr Speaker: I would like to call for a quorum of the House, please.

The Deputy Speaker: Is there a quorum?

Senior Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries): A quorum is present, Speaker.

The Deputy Speaker: The Chair recognizes the member for Brampton South.

Mr Clement: Thank you. Before we were so rudely interrupted, I was talking about Spain.

Mr Wildman: She was just trying to bring an audience in for you.

Mr Clement: Thank you very much for your concern about an audience. I'm sure folks at home are listening with rapt attention.

Spain has an unemployment rate of 24% and is known to have the least flexible job market in the entire western Europe. Hopefully that will change. They've just elected a new Conservative government under Mr Aznar, and hopefully they can do something to try to drive some flexibility into their market, because what employers in Spain were telling the former socialist government there was, "Even though the demand is there, even though there are more people who want our goods and services, it is in our interest not to hire, because if we hire someone, we can't fire him." There is no way in the world in Spain that if you hired somebody, you could fire them.

Incidentally, for those who are interested in a bit of history, this is one of the effects of Fascism. Under the Franco regime in Spain, in their statist attempt to control everything, they wanted a system so that workers had jobs for life, so that the employer-employee relationship was so sacrosanct that no human force could rend it asunder. That's one of the effects of Fascism in Spain, and the effect was now 24% unemployment on the official rate. So one would hope that in Spain flexibility would be the order of the day as well.

Let me move on from there to talk a bit more about flexibility in marketplaces around the world and what I

have uncovered in my research in this area. Flexibility is not only an important aspect of creating employment, but one of the primary preconditions to flexibility, according to the Organisation of Economic Co-operation and Development, otherwise known as the OECD, another important factor, is proper education standards for the future workers in our province.

1650

So I would argue that although section 3 of this bill is part and parcel of increased labour flexibility, another part and parcel of ensuring that we have jobs for Ontarians is a proper education system that educates with proper standards so that the young people in our province will have the ability to not only find a job, but perhaps if something goes wrong or if that particular company downsizes, will have the ability to find another job and another job.

The honourable member for Fort York perhaps was referring to this when he talked about vulnerability in our society. I share the honourable member's concern about vulnerable people, but I would argue that the real vulnerability when it comes to downsizing is when that unemployed worker has no job to go to because, number one, the economy isn't creating jobs, or number two, that person does not have the requisite skills. I think it is incumbent upon us as legislators to ensure the skills are present with each and every person: the flexibility skills, the creative skills, the skills to read and to write and to be numerate so they can compete in the job market of today.

There are other examples of how to achieve labour flexibility. I'm reading now from another OECD report called *Flexible Working Time: Collective Bargaining and Government Intervention*. This particular document surveys a number of different countries within the OECD, of which of course Canada is a member: Italy, the United Kingdom, the Netherlands, France, Sweden and Japan. In this document, the point is made that in Japan — everyone always brings up Japan as an economic model — the consensus has been that it is better to achieve labour flexibility through negotiation, collective bargaining negotiation, rather than through government intervention. That's what the Japanese have learned in creating the economic miracle they have in their country.

I would continue then from the aspect of connecting labour flexibility with jobs and go to the individual, because this is not merely an economics discussion in the macro sense of the word. This is about people. This is about people who are living with a lot of the changes that are occurring throughout the world, not just in Ontario or in Canada. The studies show, again, that there is a rough consensus from the workers — I dare say not the unions necessarily, but from the workers themselves — that they want increased flexibility.

A report from the Institute for Labour Relations' *Bulletin of Comparative Labour Relations*, printed in Germany and in Boston: Among the demands for increased flexibility from workers and employers — and employers, I'll admit to that; the need for flexibility in the organization of working time; for the abolition of rigid rules concerning dismissal that in fact prevent the hiring of new workers. Demands are coming from the

Spanish confederations, the French, the Dutch, the Japanese. This is a worldwide phenomenon.

I dare say there is a reason why it is important. Studies have shown that the demand for labour market flexibility is there. A study of workers — not unions, not governments, but workers — in Belgium, Denmark, Germany, Greece, France, Spain, Ireland, Italy, the Netherlands, Portugal and the United Kingdom goes from a low of 45% in Germany to a high of 69% in the United Kingdom wishing to have greater flexibility in work hours and differentiation in terms of additional leisure time and how that interacts with their wages. I think there's a fair consensus there in those countries that flexibility is the way to go.

Let me add a further dimension to this debate. The greatest demand for flexibility in terms of work hours, in terms of the demands day to day versus the demands at peak periods — the greatest demand from workers for that flexibility is coming from working women. It's coming from working women who are trying to obtain control over their lives. Perhaps they're single parents. Perhaps they are married individuals with kids at home and are struggling, with their husband, to meet the demands of being a proper parent in our society, a proper parent, and still trying to get ahead a little bit in life through a double income, which is in fact, for most people now, not a lifestyle choice; it's a necessity. We all know that; it's a necessity for a lot of working couples that both individuals work.

So the greatest demand for the flexibility is not from the élites that the member for Fort York worries about, it's not for the big corporations, it's not for the big management organizations; the greatest demand for change is coming from working women. They're the ones saying, "Look, we just can't compete or can't be part of the economy if the working hours are the standard working hours that have been that way since the 1850s." They want to see that change. We are responding to that change. Perhaps for the first time in the province of Ontario, the government of Ontario is responding to the demands for flexibility by working women. I, for one, am very proud of that fact.

In conclusion, I encourage the members opposite, perhaps at committee stage we'll have the reasoned debate which I hope I have added to in at least an infinitesimal degree. Perhaps having seen the studies that I have seen, perhaps having read the reports that I have read, perhaps seeing what is out there, not only in the province of Ontario but the demands that are being made by the workers throughout the world for changes, for increased flexibility, for access to jobs that the rigid standards of the past were not accommodating, perhaps they will join us in ensuring that Ontario is not only competitive in terms of the dollars and cents that are so important but is competitive for the quality of life for our workers, for everyone in this province to have a quality of life that will be the envy not only of the Dominion of Canada but for the rest of the world as well.

The Deputy Speaker: Comments and questions?

Mrs Pupatello: I was more than a little interested in listening to our member across the way and what he had to say about the act being presented. I guess most

interesting is that some of the reports he was quoting I too have had the pleasure of reading in the late hours. OECD reports are interesting when they're given in full context. So, for example, if you're going to be quoting that kind of information about labour markets in markets like Sweden, I think you should mention too that the taxation levels there are between 70% and 80% often, and I wonder how many of his colleagues, the true believers, would be advocating that we turn to levels of taxation such as those European countries that you might have listed.

I think that enters into a whole new debate, that we have individuals of the government caucus who are advocating a 70% or 80% taxation rate in the country, like the markets that he mentioned. I guess that's the danger, that when we have members come in and do their preparation and start drawing on other world markets, we need to remember that Ontario has always led the world in labour market change and that we have always been ahead of that.

1700

When I speak for my own region, if you look at the tool and mould industries where I come from, government members will acknowledge that we lead the world in those industries. We do so because we have excellent employment standards, we have excellent labour-management relationships where I come from. The fear is that when we discuss the reality of the bills that are being discussed here today as they concern labour and employment standards, what we see is a digression. We are being regressive here with this act. I wish the member would look to the balance of the reports of the OECD he is quoting from and continue to compare apples and apples, as opposed to what he's presented today.

Mr Wildman: I listened with interest to the comments of the member for Brampton South. Obviously he's done a good deal of thinking about this and he's done some research, and I congratulate him for putting forward his views clearly and succinctly. However, I caution him that if one looks at certain elements of the situation in western Europe or Japan without looking at the full context of the economic situation and the social structure, one might reach invalid conclusions. It is important to look at the whole picture.

I want to make clear that when he says that the best way to deal with flexibility, which he argues is being demanded by workers, is through negotiations, we don't disagree with that. However, we also believe it is imperative to have some basic bottom lines. What is being proposed here by this government is something that will significantly complicate collective bargaining in Ontario for those unionized workplaces, where there will be demands put at the bargaining table that up to now have not been legal and will make it quite likely that we will see significant difficulty in reaching agreements that are acceptable to workers and to employers in areas that up to now have not been matters of contention.

I also suggest to him that when he looks at other nations, and I think it's important to do that, he should perhaps look at the history of Spain. He did talk a little about the Fascist regime, but he should also perhaps have looked at the other part of the Iberian peninsula, Portugal,

which has a very different experience in an economy that's quite similar.

Mr Ron Johnson: I want to make a few comments with respect to the presentation of my colleague the member for Brampton South. What he was able to give us today was a tremendous amount of insight into what other jurisdictions in other countries have done. The key part of his presentation — and I hope the members opposite were listening to this because it is the key part of the presentation — was the important link he was able to establish between labour flexibility and job creation. He's proven, through some very good evidence, that there is a correlation between labour flexibility and job creation.

I think back to what the member for Windsor-Sandwich said earlier to one of my comments claiming the same thing. She said there's no relation at all between the two things, between Bill 49 and job creation. That's exactly where she's wrong. The Liberals simply don't get it. It's not about one piece of legislation. Creating jobs is about creating a climate. This is part of that — a very small part of that, I might add, but a very important part — in terms of creating a climate that's conducive to job growth.

I'm glad to see that the member for Windsor-Sandwich, having been much more educated by my colleague the member for Brampton South, can now share that education with the rest of her caucus. Hopefully they will come back in support of this legislation now that they see the important link. It's funny; she's even got the audacity to look at us as a government that may want 80% tax rates. We decrease taxes; that's what this government's all about. Coming from a member who sits in a party that raised taxes 33 times in three years, now she's talking about comparing us to the Sweden model, which is completely absurd. Of course, that's not what we're after in Ontario at all.

The important part here is the link that has been established between labour flexibility and job creation, and I certainly congratulate the member for Brampton South on giving us some very good information.

Mr Joseph Cordiano (Lawrence): I want to comment very briefly on the member's speech and suggest that he's got it all wrong, as his government does on these matters. Surprise, surprise. Once again they are perpetrating another myth.

They want us and the public of Ontario to believe that the income tax cut will create more jobs, when in fact we know that around the world where this type of economics was attempted, it has not led to more jobs. In fact, New Jersey, their role model, has one of the worst employment records in all of the United States. When you look at the Employment Standards Act — and the member was talking about flexibility — the aspects of flexibility that are workable are in fact for workers at the high end of the job market who are highly skilled, who need perhaps no unionized effort to meet the kind of negotiating demands they're calling upon for employers to meet.

These are highly educated, highly trained, highly skilled people who don't need that kind of minimum standard to be there for them. In fact, the member fails to mention when he refers to flexibility that it's people at the lowest end of the workforce who need that kind of

support, that kind of floor. They do not have the power to negotiate for themselves because quite frankly their skills are in abundance. That's what's happening around the world and that's what your government fails to realize.

When you talk about lowering standards, you're going to compare us to places like Alabama, and other developing countries in the world where employment standards are lower. That's what you fail to realize.

The Deputy Speaker: The member for Brampton South has two minutes to respond.

Mr Clement: Thank you very much, Mr Speaker, for the opportunity to reply to my colleagues. I thank the honourable members from Windsor-Sandwich, Algoma, Brantford and Lawrence for their remarks respecting my presentation.

I must be contrite to the members. They have made a good point about putting things in context and perhaps we all need a bit of context every now and again in this chamber.

Let me bring a bit of extra information about Sweden, however, which was not a country that I did really focus on. But it's quite interesting that the new Prime Minister of Sweden is cutting welfare rates for the first time in the history of the Swedish nation, so perhaps they have been reading the Common Sense Revolution as well.

In terms of who I am comparing to, the member for Lawrence got it wrong unfortunately. In fact I made no mention of Alabama at all. I was comparing us to what has generally been considered part of the successful economies in the world, the Federal Republic of Germany, France and Britain. Spain has moved mountains since Fascism has receded.

I don't want to compare us to Albania, as the honourable member for Algoma mentioned earlier. I don't want to compare us to Myanmar. That isn't the purpose of this. The purpose is to compete with the best countries in the world, because we have the best workers, we have the best education and we have the best market position geographically. There is nothing preventing us from competing with the best in the world except that we have had bad government for 10 years and that's the sort of thing we have to change in order to create the jobs and opportunity that are so desperately demanded by the people of the province of Ontario.

The Deputy Speaker: Further debate?

Mrs Pupatello: It is my pleasure to discuss the bill that's being introduced and make some commentary. I welcome the Conservative member for Nepean to stay on this side of the House actually and I can understand why he may want to go.

All of our discussions on this have to be in context and I would submit that the member for Brampton South who has just finished — we could go on about comparisons of other world markets. In fact, the area of Sweden has the best child care in the world. They also have a significant level of early childhood education, usually by age three, so if we are going to look at comparing markets, I was pleased to hear the member mention that, yes, in fact, he should have been a little more focused and compare appropriately.

I guess overall I want to start by saying that the mission of the government is indeed to cut and there is no difference here. The fact that we're going to relate that to job creation is a stretch. I think they do hope that happens. Overall, the government is intent on cutting because they have to finance a huge tax cut, which is very popular. Even where I come from, where they don't tend to elect Conservative members, tax cuts are certainly welcome to most people. I think everyone agrees the world over, not just in our economy in Ontario, that tax cuts are appreciated, and we think that when it's done appropriately and when it's done fiscally responsibly, they are welcome.

1710

In our case, as we remember our campaign vividly, we would have done it certainly less so and we would have been more fiscally responsible, because what it's resulted in is the government having to find significant levels of cuts across the board to account for the huge loss in revenue the government suffers from as a result of not taking in the money from the income taxes.

One of the areas they're finding as a huge cut will be this operation within the Ministry of Labour, and that is a 26.6% cut in the employment practices division of the ministry.

I don't know if some of the backbench Tory members realize that's the level of cutting that is going on in that ministry, that we have people who are inspectors, people who used to be out there across Ontario workplaces who simply will not be there any more, and that the true agenda is we've got to cut 26.6%. I don't think you're going to see that right away, but within six months, the people on the shop floors across Ontario will know those people aren't there any more. You are responsible for that. The government is responsible for ensuring that employment standards are there and exist.

We realize that much of the bill, as it's been presented, is indeed housekeeping items, but there are some areas that are not just housekeeping, not just the wrong word in the translation; there are some that are significant.

The government proposes to alter limitation periods and notice provisions for claims by reducing the period for making a claim. That certainly doesn't put more onus on an employer; it puts more onus on the employee. The government also intends to establish a maximum amount for which an order to pay can be written. That again doesn't affect the employer; it certainly does affect the employee.

The government, through this, proposes to permit prescription by regulation of minimum amounts for which an order to pay can be written. Also, it proposes to require claimants to elect either a ministry remedy or civil remedy through the courts, with the exception of claims for violations for which reinstatement might be ordered.

It proposes, where collective agreements are in place, to require the use of grievance procedures to arbitrate the Employment Standards Act. I know that it is a very detailed thing and that unless you really work in this field, it may not be understandable. Our Labour critic spoke at length about this item, that this in fact is creat-

ing a very different climate at the bargaining table, and that's fine —

Mr Wildman: On a point of order, Mr Speaker: I notice the gentlemen running out. I'm wondering if there's a quorum to hear my friend from Windsor-Sandwich.

The Deputy Speaker: Would you please check for a quorum.

Senior Clerk Assistant and Clerk of Journals: A quorum is present, Speaker.

The Deputy Speaker: The Chair recognizes the member for Windsor-Sandwich.

Mrs Pupatello: I appreciate that everyone's rushing back in to hear my presentation and comments on the bill.

As I was saying, there are some elements our Labour critic, Dwight Duncan, has gone into at length about some of the changes and they are significant, and we recognize other areas that are considered housekeeping.

We appreciate that there will be public hearings on this bill. We mentioned that the level of public hearings, frankly, is surprising from this, the government that refused public hearings on a significant labour change such as Bill 7. We are surprised; in fact we're pleased. Some of you do indeed learn lessons, even though it's been difficult.

I've been interested to hear overall that the submissions made by the government members have always attached this bill to job creation. I find that interesting. They've attached it to the elimination of red tape, and we've heard a lot about that lately.

I'd like to compare that to the kind of red tape we have to suffer in the Windsor area when we try to look for a doctor; in fact the Minister of Health refuses to recognize that we need doctors in Windsor until we submit to all of that red tape bureaucracy to get us proclaimed an underserviced area. Let me tell you there's a significant package that had to be submitted and it had to go to several layers of the ministry. We're awaiting a response. Our people responded quickly, but I can tell you that in the Ministry of Health there is an enormous amount of red tape. In terms of priority, I would say the health ministry ought to be the priority of government and they should look to that. The very numbers the minister uses were incorrect where doctors were concerned, and we had to do the job of proving that we were short in supply of doctors.

In the case of Sudbury, having already been proclaimed an underserviced area, now the people of Sudbury have to go looking for a doctor in order to access the funding. We know there is work to be done in Windsor and Essex county even when we get the designation after all the red tape that currently exists in the Ministry of Health. Even when the designation comes, we have to go find the doctors then and ask them to make a remittance to see if they can have access. That's the kind of red tape that should have been a priority if the government was talking about red tape this week.

They continue to link this act to jobs and the creation of jobs. I'm wondering what the people in Brockville feel about Bill 49. I wonder what the people who work at Phillips in Brockville feel about Bill 49. Do you think

that the Phillips plant, now that it's closing and gone — and Brockville had a significant stake in Phillips — is really concerned about what the Employment Standards Act is today? I think their priorities go beyond that and that if we were going to be focusing government activity in the time we spend here, we should be looking at how we maintain corporations in towns where they are absolutely the anchor of the town. I'm sure that the member from Brockville has significant concerns over where the people will go.

I'd like to talk about an announcement this week about the Great Atlantic and Pacific Tea Co. They're talking about closing down many stores. That may be in the corporate best interest to do so but, regardless, officials from that company tell me that they're looking at 100 people per store that is closing whose jobs will be lost. Those 100 people per store are scattered across Ontario — some in your communities and some near mine. The A&P jobs, though, what differs there in that scenario, is that most of the people are young. Most of the people are young, part-time people.

If we're talking about job creation, I know some of you — and certainly the member for Brampton South, who has done extensive research in world G-7 countries and labour markets, realizes that part-time work and women in part-time work is certainly a significant part of the working landscape today. So when A&P announces stores closing and a potential 100 young part-time people losing their jobs, this is a significant impact to them. I don't know what the people of A&P think about An Act to improve the Employment Standards Act. I don't think they consider that this act would really be a priority right now.

We talk about priorities. We've got to say the priority was certainly to decrease the taxes, and they are starting to do that. We hope that their strategy will work because it's the only strategy that the government has in the bank. If this strategy doesn't work, you don't have any other things to pull out of the cupboard to all of sudden create the 725,000 jobs that you've promised us. Even if you're going to try to stay on target, the government members recognize they would have to, between now and the end of their mandate, create in excess of some 150,000 jobs a year.

Mr Speaker, I have to tell you that in the highest levels of recoveries of economies, we have never, ever been in a position to be hiring and creating those levels of job opportunities in Ontario, and yet we've struggled and come out of a significant recession during the last government's term. We don't know how they're going to do it. I can tell you that the bill that we're discussing today is not going to be a part of creating over 150,000 jobs a year, as is required by the government to meet its own targets.

I found it particularly interesting that the government hasn't been talking about those job targets very much any more. They talk about the red tape and they talk about the tax decreases, but you're not mentioning your job targets any more.

1720

We talked to young people after we managed, as a Liberal caucus, to hold your feet to the fire on the youth

opportunities for summer employment programs. We did hold your feet to the fire on that. You did bring that program back even though you had cut it initially.

Now we're talking to young people and they're still telling us that those job programs haven't worked, and I'll tell you why: The government brought forward that program so late, with a deadline so early; the wrong phone number on the back of the application forms so that it frustrated most of the students who tried to access the plan. You have another program where you've allowed so little in terms of an incentive for employers to hire the students. In fact, it was at the \$2.50 level for some employers, where they used to be able to take students on with a greater coverage by government for student summer programs. Those programs have failed, so we're in the middle now of a lot of high school students who are going to be let out for the summer who aren't going to have access to the jobs. Even the low number of jobs that was available last year is not going to be found this summer.

I guess the worst part is that when they get back to school in September, they're looking at an 18% increase in tuition. I remember clearly the Conservative members campaigning around Ontario. They never told students in the universities across Ontario that they'd be paying those levels of tuition increases. I think if they did, they would say, "I don't think we have our priorities right." But now I can go back to the students across Ontario and say, "We know what the priorities are: It's Bill 49, An Act to improve the Employment Standards Act." I would tell those university students who desperately need their jobs, the job-creating measures that are offered to them in the Employment Standards Act, "We're sorry, it's not going to go a long way to helping people pay an 18% increased tuition."

We were at the opening of the research and development centre in Windsor last week, where Yves Landry, the president of Chrysler corporation, spoke eloquently about the kind of links that corporations make with institutions and their employee groups. We heard from Buzz Hargrove, representing the CAW, who also spoke eloquently about the relationships between employees and employers. The people who are out there working in very successful corporations understand that they need to work together on these things and that often government can be cumbersome, but they all acknowledge there is a role to play in government.

When Yves Landry spoke about the opening of the research and development centre, he agreed that there is a corporate responsibility for their own future and for that of their employees. We were proud to listen to that in Windsor, where you find the headquarters of Chrysler Canada, listening to a very successful corporate representative speak about that kind of corporate responsibility. I wish all of you had come, not just one of your Conservative members, to that opening, because his speech was important in that corporations do recognize corporate responsibility as it relates to jobs, job creation and their future. I think they are involved in it, but I can tell you, it's quite a stretch to suggest that job creation has anything to do with Bill 49.

I guess if we have to speak about it, we want to be proactive. We want to talk about what we would do. We could make recommendations that would in fact improve the lay of the land for workers in Ontario.

I had an opportunity to speak with some firefighters across Ontario. We have excellent representatives from firefighters' associations in Windsor. One wrote a letter to Cam Jackson that was talking about WCB reform. The link here is that it's the same kind of direction in terms of the act and Bill 49 that's been brought forward today and where the government is going in the area of labour relations in general. He wrote an interesting letter as a response to a committee called prevention, rehabilitation and return to work.

The firefighters have some grave concerns about the direction the government is going as it applies to labour and labour relations. In fact, he said, even at this meeting: "We heard input from many areas of the world" — all around the world; I would submit one of our members from Brampton South must have been at that meeting with his books as well — "not to mention our own country. Apparently there has occurred great success in changing the WCB rules. With all due respect, I say 'apparently' because we heard only one side of this apparent fix." It was a consideration of who called it a success: Was it the government, the corporation or the workers?

Our gentleman from Windsor, Doug Topliffe, is saying you've got to look at it being called a success by all of the parties. "Certainly some of the workers' quality of life was improved via rehabilitation and prevention. However, we did not hear of the workers who were hurt by this process. What about the workers who lost pay due to an injury, who perhaps lost jobs due to slow healing? Of special interest may be the unknown number of workers who may have lasting effects of injuries because they could not afford to lose money by being on compensation. Another unanswered question: the number of injured workers who aggravated their injuries by staying at work because they could not afford their time off.

The waiting period does not seem fair for any worker. A company is realizing a potential profit due to their workers doing their job. Why should a person be punished after assisting in the making of another person's profit? For a worker who serves the public, why should he or she be punished for doing a job that makes your life easier?

A huge concern is for emergency service workers. Some of the government members who are here might be interested in this very discussion because it's of huge interest to the constituency where I come from, and any constituency, and that is, what are we doing and what kind of dialogue is the government having with our emergency service workers? I'd like to shed some light on that for you.

For police, firefighters, correction officers, ambulance attendants and many more who are working at dangerous jobs that often entail sudden, strenuous and dangerous activities, a waiting period and return to work may be implemented. I'd like to ask all those involved with this process a question. Can any one of you sincerely believe that a firefighter who will enter a burning building to

rescue any one of the citizens of Ontario and becomes burnt or injured should be punished by losing pay due to a waiting period?

Mr Baird: I agree.

Mrs Pupatello: The member for Nepean agrees. These are the kinds of discussions the government is having with emergency service workers, that it's going to implement these waiting periods. I understand that this loss of pay may be forgiven, but we're not certain of it. If you are off for a period of time, when is the pay returned? If you don't heal within a certain time frame, you may be taken off compensation — another nice thank you for the firefighter who just saved your life.

Apparently there's discussion in this area surrounding the opportunity for the emergency service worker to opt out of doing the work. In this scenario we've got firefighters who are running around a burning building and they're going to stop before they enter the building to save a life and say: "Wait. I'm going to opt out of this work because it might be too dangerous." That is the kind of discussion this government is having with emergency service workers in Ontario. I want to tell the people in Windsor-Sandwich that we're going to continue to fight the government on this kind of thing because our firefighters, our ambulance crews, all of them are vital and we don't think that they needlessly have to be attacked through the kind of reform that's being discussed currently with this government. We go on.

We think the problem should be rectified by prevention, rehabilitation and eradicating the malingerers and fraudulent cases. If you ask most people on the street about the workplace, about the employment standards and any of that, all of us want to get rid of fraud, all of us want to get rid of malingering cases etc. We think that the government really should focus on that as a priority, certainly not on bringing forward a bill like Bill 49.

We are seeing, and even this week on radio news we kept hearing, reports of the cost of repetitive strain injuries, because there are reports that have now been released. We know that the latest cost to an average Canadian company is some \$12,000 per year in repetitive strain injury. Even carpal tunnel syndrome — many of us are now beginning to understand what it is — \$6,500 per year per case for each newly reported case. These are enormous costs to companies.

If you were truly a government which was interested in helping corporations and employees — you say you are interested in both — what you should be doing is looking at how to get into the workplace to try to prevent these kinds of things from happening at all. If you realize there's such a change in the workplace — it's far more automated, you have many different types of workers doing many different types of things and the injuries are very interesting in that they're very much the same kind of thing — then government should be leading the way in how to address that. Prevention is absolutely critical.

With all the time and energy it has taken for you to produce Bill 49, I submit you could have come up with some very good leadership ideas on getting into the workplace and creating incentives for corporations to get into the workplace and prevent those kinds of injuries in the first place. We have private companies across Ontario

who are very good at doing this. We have public institutions too who are very well trained in looking at ergonomics and how to prevent repetitive strain injury, and making very minor changes in the workplace so it doesn't happen. Corporations now are on their own to look to do that. We know there are some who are very visionary and very concerned about their workers, that they choose to do that on their own at their cost.

1730

This government keeps saying how interested it is in the workers and keeps pointing to the benefits to the employees here. If they truly were, they would be leading the way in looking at prevention in the workplace and how to create incentives for companies to look to the preventive factor in injured workers. There are many ways you could do that, whether it's tax incentives — a number of ways. There are some ways to get into a workplace that are not all that expensive that companies, if they're shown the way with some leadership from government, would be encouraged to look at. You could put people in the workplace to train the workers and train the management to look at the little things you can change on the work floor that will stop repetitive strain, in some examples.

When you are in an automated-industry area like I am in Windsor-Sandwich, those things are commonplace. If we look at the changes made to the GM floor at the trim plant, for example, some very minor changes created some huge savings on the floor and in terms of injured workers.

It's just a fallacy that the government members stand to speak to Bill 49 and talk about how they're interested in helping the workers of Ontario. I see it as rhetoric. In fact, if you look at their real goals, the goals are to cut 26.6% of the ministry's budget in the area of employment standards. That's the true intent of the bill, and I don't think we should take our eye off that ball.

We had members today talk about child care, who wanted to compare child care around the world. I know you're government members, but you really should be involved in that child care study that's going on right now. Most of the conditions and changes that employers and employees want to see involving child care — the member for Brampton South stood and said it's mostly women who want to see changes. I would encourage the member for Brampton South to go to the PA of the Ministry of Community and Social Services and say that, that government should show leadership to companies and encourage them to look at the area of child care as it affects the workplace, because it makes a significant difference for females who work to include child care in the workplace. I would love to see some leadership on that issue coming from this government. So far, while you say we should look at child care because it's so important, what you've done in the area of child care has simply been to cut the spaces.

I will agree that the former government did the best they could in trying to alleviate in the area of child care. We recognize too the strain they were under financially in their last two years of governing. But while you talk about child care, your actions are in fact the opposite.

You have taken months and months talking about child care and have done nothing about it.

In one breath we're talking about employment standards in the workplace. I want to talk about employment standards, but in a portable in a school. We've got a teacher in Sacred Heart school in LaSalle and she teaches in a portable. The portable, number one, has a big hole in the floor. The floor of the portable is so fragile that they've got to use the portable for primary grades only. They've got to put the little kids in the portable; they can't put the big kids in there because they'll go right through the floor. I want to talk to you about employment standards. If you go in the portable, you don't want to go in the wintertime because it's too cold and it's drafty, and even in the springtime it's over 80 degrees and has been in the last couple of weeks. When it rains, the roof leaks.

You want to talk to me about employment standards? Where are the priorities with the government? I've got a school in LaSalle called Sacred Heart that has so many portables they don't have a school yard. They've got to get special easement consideration from the town so they can put more portables in there. I don't want to talk about employment standards with you; I want you to fix the portables at Sacred Heart school in LaSalle.

Mr O'Toole: On a point of order, Mr Speaker: The member is completely out of order in terms of addressing school board issues. They are important. They're important in my riding and each of our ridings. But we're debating Bill 49, amendments to the Employment Standards Act. Let's take the time to debate the issue that's in front of us.

The Deputy Speaker: That is not a point of order.

Mrs Pupatello: I would submit that's very much to do with employment standards. I don't think teachers in this province ought to be stepping over holes in portables. That's a low standard of employment, if you ask me.

If you want to talk about priorities of government, let's clean up what we have going on right now in the education system. The Minister of Education comes from portable city. Peel has the most number of portables going, and the minister represents that area. We have more children at Sacred Heart in the portables outside the school than we do inside in the building, and you want to talk to me about what the government priorities are. I think we've got to get our heads on straight here and look at what's really going on in Ontario.

I'm very pleased to have had the opportunity to discuss many things as they relate to my riding, as they relate to job creation. I don't think the government is on track in its job creation. The government knows that their numbers are down, that they have an impossible task to try to find jobs and create the lay of the land appropriate for 150,000 jobs a year or more between now and the end of their mandate. While this government no longer wants to talk about the job quotas it set for itself, I continue to remind the government members that you owe Ontario 725,000 jobs by the end of your mandate. I think you should get to work.

The Deputy Speaker: Questions and comments?

Mrs Marion Boyd (London Centre): It's always a pleasure to hear the member for Windsor-Sandwich. She takes in a lot in her discussion of the bill in place and

she's quite right to point out that if the government is going to boast that this kind of bill is a job creator, then it needs to answer questions about the level of job creation that has gone on.

The previous speaker used foreign examples of how flexibility in work standards could develop more jobs. He neglected to talk about the very thing we need to discuss here when we talk about this bill, that flexibility is a euphemism for driving down employment standards to the lowest common denominator. You may have more jobs, but the return for those jobs and the quality of life for those workers are different.

In everything this government has done in the field of labour relations, from Bill 7 to this bill to the other kinds of measures it's taken in Bill 26 and so on, has been to achieve this so-called flexibility. It's time we identified that "flexibility" is a code word for lowest common denominator in employment standards and in quality of working life. It is extremely important for us to be clear that the agenda is to drive down wages, to drive down bargaining power, to drive down health and safety, to drive down all the standards.

Mr Howard Hampton (Rainy River): A race to the bottom.

Mrs Boyd: It's a race to the bottom, as my colleague says, in the hope that somehow this will create the necessary number of jobs. In doing that, if that flexibility creates havoc in the quality of life of Ontarians, which I would say is our major competitive factor in attracting industry to Ontario, it will be a pyrrhic victory indeed.

Mr John Hastings (Etobicoke-Rexdale): It was most enlightening to listen to what I thought would be some new ideas or alternatives coming from the member for Windsor-Sandwich, but when we got to the actual part of listening for the specific alternative, she used the word "incentives" and then moved on to talk about her school board problem.

It's very interesting to comment about her points on job creation and mention there's no linkage to this bill in that regard and link it up with the WCB proposals. The direct experience of myself involving trying to get rehabilitated workers back to work prior to 1987 — if you look at the statistics of a very badly organized, dysfunctional WCB, they were significantly higher than when the previous government of Mr Peterson brought in mandatory job reinstatement quotas in Bill 163. What happened to the hiring of rehabilitated workers is the direct experience; it's on the record. All you've got to do is go to any library and get the annual reports of the WCB, and you will find that job creation went right down into the flatlands; it went south.

When this member talks about this particular government having to get 725,000 jobs, she talks about it in terms of a quota. We don't think in terms of quotas over here; we think in terms of targets. Those targets aren't going to be set by this government; they're going to be delivered by the private sector of the day. There is a big, big difference if you could only think about it.

1740

Mr Sergio: I am quite pleased to take two minutes and render some much-due justice to my colleague the member for Windsor-Sandwich on a very in-depth

presentation. I'm pleased that the members were indeed listening. I think the message the member for Windsor-Sandwich was trying to portray is that we have to distinguish between very skilled jobs, such as the member for Nepean mentioned before, where there are probably some 100 jobs being created in a high-tech industry, versus the jobs in a factory on a chain line. I think that's where the difference comes in and that's where unfortunately we are missing the message. If there is a balance to be created, it's exactly there. While we look after creating business for the skilled professionals, we have to look after creating a good environment and protecting jobs for the unskilled labour. I think that's where the problem is. I think that's what some of the members have said before, that they would like to see a class act out there: quality, number one in the world and stuff like that.

How can we accomplish that? I think the government side knows that. I think this is what the member for Windsor-Sandwich was trying to say: that unless we take care of those needs in the workplace, we will not have the number one position created for our people and we will not have a number one position created for Ontario employers.

Mr Gilles Bisson (Cochrane South): I watched intently from my office the speeches, what is being said in regard to employment standards. I must concur. The reality is that this is not just another attempt; in fact, it's another action on the part of this government to basically take away workers' rights. This government believes that if you drive everything down to the lowest standard and you get it down to the lowest standard, somehow or other magically that will create all of the jobs.

I guess you'll create some jobs in doing this. I suppose if you create the standards down low enough that people are working for less than minimum wage or for minimum wage and people have no benefits of real value, maybe there are people who want to invest in Ontario in those kinds of climates. But I say, I want off. That's not the kind of Ontario that I grew up in; it's not the type of Ontario that other people grew up in. It's not the type of Ontario that I think benefits our economy overall. In order to have an economy that works, you have to have people who have a disposable income that's sufficiently high to be consumers.

This government, yet again, under Bill 49 is demonstrating that what it wants to do in the end is to say: "Let's drive down the price of labour. Let's drive the benefits of workers so far down that in the end we are more competitive than other economies." I say the government is wrong. I say the government, rather than trying to take an approach of, "Let's hit them with a stick," should rather try to take an approach more conciliatory in nature and try to bring together the parties to effectively make the kinds of changes that have to happen in our economy and that have to happen in workplaces so that we can move our workplaces along with the economy that's ever-changing.

We saw when we were in government that there were some ways that could be done. It's difficult at times. For example, the workers at Kimberly-Clark up in Kapuskasing and Algoma Steel in Sault Ste Marie certainly had to

negotiate concessions in order to be able to restructure their companies, but there was a partnership. What this government is talking about is not doing a partnership; it's strictly about taking a club and hitting people over the head with it. I don't like that one bit.

The Deputy Speaker: The member for Windsor-Sandwich has two minutes.

Mrs Pupatello: While I could have listened to them much longer in terms of their rebuttal — they're so interesting — I must conclude today by saying that it really is a pleasure to have an opportunity to speak to the people of Windsor-Sandwich so that they indeed know that there are members here in this House who are truly trying to protect their interests.

We want to talk about employment standards today. I want to talk about the employment standards as they relate to the hole in the portable at Sacred Heart school in LaSalle. You cannot get away from this. It doesn't matter how hard you try. That is a priority. When we have small children going to school in a portable jumping over the hole in the middle of it, that is an employment standard that is unacceptable in Ontario.

I want to talk to the people at Hiram Walker. We are trying to tell the government and the finance minister, Ernie Eves, that the tax system for spirits in Ontario is excessive. We think you need to look at that. You have 17,000 coasters that have come up from my area to say: "Review the tax situation with distillers. Save the jobs at Hiram Walker." You know there are some 600 jobs there that you could save. Think about it, Mr Hastings: That's 600 jobs you wouldn't have to create, because with one fell swoop your finance minister could fix it for the people at Hiram Walker. I want you to take a good hard look at that.

I want you to look at the doctors in Ontario. Look at the red tape you could cut out. If you are really interested in cutting red tape here in Ontario, don't make us go through this underserviced area business; talk about the real issues and make some real solutions for people.

When it really concerns the injured workers of Ontario, when we talk about employment standards, we want to talk about that. Do what's in the best interests of the workers in Ontario.

The Deputy Speaker: Further debate?

Mr Hampton: I'm pleased to take part in this debate because it is an important debate and represents another piece in the great Republican revolution that's happening here in Ontario, or you could call it the return to the past, the deep past.

Interjection.

Mr Hampton: Or you could call it, as the member from Flat Rock over there calls it, the Common Sense Revolution, although there is no common sense in this.

What this represents, and people across the province need to reflect on this every day, in the small picture, in the narrow picture is that working people, the most vulnerable working people in this province, people who don't have a union, will see themselves deprived of wages they are due, will see themselves deprived of overtime pay they are due, will see themselves deprived of vacation pay they are due. The government will in effect legalize the theft of that money from them so that

the most unscrupulous employers in the province can keep that money. That is what's happening here.

The time limits will mean that people who work in some of the worst working conditions in this province, who do not have the protection of the union — in many cases they are new Canadians, people who may not speak the language that well, people who may not understand the legal structure — those people, by this legislation, will be denied the wages they have earned, will be denied the overtime pay they have earned, will be denied the vacation pay they have earned in order that this government can hand that money to the unscrupulous employers who are cheating them of it. That's what's going on here.

This is a direct transfer from the lowest-paid working people in the province, not to someone who deserves a transfer, but to the most unscrupulous employers you'll find anywhere in the province. This is indeed a completely disgusting piece of work. That's what's going on here. The government tries to cover it up with a bunch of propaganda, saying that this will create jobs. What a load of baloney. What a total load of baloney.

1750

We saw from some non-unionized workers who came to this place a few days ago and dared to hold a press conference the kind of thing that's going to happen: workers who have been trying to get overtime pay from their employers for up to two years, and the employers, who know the workers are vulnerable, say to them: "Don't bother me about the overtime I owe you. Go away." After they bother the employers for a while the employers suddenly say: "That's it. I'm firing you."

This bill will make it impossible for those workers to recover the wages they are due. This bill will make it possible for those most unscrupulous of employers to keep those wages. It's all legal now. This government tries to cover it up with a bunch of baloney that somehow this nonsense is going to create jobs.

Let's go through some baloney that we heard here today. We heard, for example, one of the Conservative members get up and talk about Spain and he completely avoided the economic history of Spain. The fact is that Spain is a country that virtually was left out of the Industrial Revolution because it based its economy for the greatest period of time upon taking precious ores and natural resources out of other places in the world, whether they be the Philippines, Central America, South America and a host of other jurisdictions.

When Spain lost that colonial economy, it literally fell into great poverty. Then Spain, through the Fascist operations of Franco, tried to paper over the structural difficulties it had. That did not work. Recently Spain was trying to earn itself a niche in the European market in terms of producing some products that you can mass-produce at a low wage. That niche has been taken away now by Poland, Czechoslovakia, the USSR and other countries that were behind the Iron Curtain. This member completely tried to avoid all that economic history and said, "In Spain it's a problem of flexibility." What nonsense.

Then the member referred to West Germany and said that the problem there is a lack of flexibility. He left out the history of eastern Germany and West Germany over

the last seven years, where Germany has been trying to accommodate one of the largest economic leaps that any jurisdiction has ever tried, where in one fell swoop it is trying to reincorporate the economy of eastern Germany into West Germany and it's created all kinds of dislocations in the West German economy that have nothing to do with flexibility. What nonsense.

What nonsense the government is trying to use to justify a piece of legislation that is about nothing more than on the one hand legalized theft from the most vulnerable and poorest workers in this province on behalf of some of the most unscrupulous employers; on the other hand they talk about flexibility which, if you read through everything this government is doing, is about nothing more than a race to the bottom in terms of wage levels, a race to the bottom in terms of labour standards, a race to the bottom in terms of health and safety standards, health and safety training, health and safety enforcement and a race to the bottom in terms of its desire to take a whole bunch of injured workers out of the worker compensation system and find a human junk pile somewhere to throw them on. That is what this is about.

Flexibility, when you define it in terms of what this government is doing, is nothing more than a race to the bottom. It's not about encouraging entrance to the workforce. It's not about helping women into the workforce. It's not about providing more child care or child care that is appropriate for women who want to enter the job market. It's not about maternity leave or parental leave which would allow women to leave the workforce to have children, to re-enter the workforce without detriment or penalty. None of these things, which are all about flexibility, are anywhere in this legislation or anywhere in this government's concept. That is flexibility which helps people enter the workforce.

Flexibility means, for example, being able to enter into an apprenticeship course. Nothing about that here. In fact this government, by its actions, is telling the private sector it's okay to wipe out apprenticeships, it's okay to wipe out leave for education, it's okay to wipe out leave for training. None of this is about a positive definition of flexibility. It is, when you take the wrappers off, all about a negative definition of flexibility, which means a race to the bottom for working people.

I want to refer again to talking about the small picture, because there's a wider picture here. We heard one of the members refer to some of the American experience. I want to talk about that American experience just a bit, because the reality in the United States is that the Americans are discovering that by implementing the lowest minimum wages, or not having minimum wages, in other words, completely violating working people, completely exploiting working people — the Americans are discovering by the low minimum wage, or no minimum wage, that by gutting labour laws, by lowering labour standards generally, it is doing nothing for the American economy. All it's doing is creating more and more working poor.

The Americans are discovering that having more and more working poor people in their jurisdiction does not allow them to have the kind of education system, the kind of health care system, the kind of community solidarity

you need in order to be productive in the 21st century. So the Americans are discovering, for example, that because of that absence of—

The Deputy Speaker: I think this might be a good time to move on to something else. I would like to give you a minute. You have a late show for tonight?

Mr Hampton: We have a late show at 6 o'clock; yes. It's not 6 of the clock yet.

The Deputy Speaker: Is that clock right? I have 6 o'clock. Would you like to finish out that clock?

Mr Hampton: I want to keep going, Speaker. I'm on a good run here. I want to keep going. The fact of the matter is that it's not often I get this many republican members in the House so that I can recite to them some of their own history south of the border.

The fact of the matter is, the United States is discovering that the race to low wages, the race to low labour standards, the race to wiping out labour law is not giving them the kind of economy they need in order to be productive in the 21st century. What it's giving them is social problem after social problem after social problem, and those social problems are increasing in cost. So jurisdiction after jurisdiction in the United States is looking at a way out of the race to the bottom that this government is now heading Ontario into.

Interjection.

Mr Hampton: Speaker, one of the Conservative members wants to get in the debate, and I welcome him at some point to get in the debate. I hope you have something more factual than some of your other speakers have had today.

Even in the United States, which these republicans like to cite so often, the evidence is not there to support the race to the bottom. The race to the bottom in terms of wages, labour standards, employment standards, workers' compensation, health and safety is generating all kinds of social problems in the American jurisdiction, social problems that then create an economic drag of their own. That's becoming a huge problem in the United States.

I'll come back again, there is the narrow picture of this. The narrow picture is simply this: This government, as I said, is going to legalize theft from the most vulnerable workers. This government is then going to allow that money to be turned over to the most unscrupulous employers in the province. There is nothing in this legislation or anything written between the lines in this legislation which will incorporate any positive interpretation of flexibility which might help the economy. It is all about a lowering of the standards to the bottom. And why is it doing this? What's the short-term goal?

The short-term goal is that the Ministry of Labour also has to lay off a whole bunch of employees so that it can take millions of dollars out of its budget and turn the millions of dollars that used to go towards helping the most vulnerable workers over to the Minister of Finance so the Minister of Finance can then wrap that money into a tax break for the wealthiest people in the province. That's what's really going on here.

Not only is it the legalized theft from the most vulnerable workers, also, in terms of the net transfers within the government, it means taking resources away from the most vulnerable workers, turning those resources over to

the Minister of Finance so that he can then give them away in the form of a tax break to the wealthiest people.

1800

I believe that more and more people see that that is what this government is all about. That is what the great Republican revolution or the great Conservative revolution or the so-called Common Sense Revolution is all about: taking resources, taking money away from the poorest and most vulnerable people in the province and transferring those resources, again, to the wealthiest people of the province. That's happening in at least three ways in this bill.

Speaker, I want to go on and talk a bit more about the big picture, because there is a big picture item to this as well. But I see that it is 6 o'clock, so I would move adjournment of the debate for today so that I can return again on Monday.

The Deputy Speaker: Pursuant to standing order 34, the question that this House now adjourn is deemed to have been made.

IPPERWASH PROVINCIAL PARK

The Deputy Speaker (Mr Bert Johnson): The member for Rainy River has given notice of dissatisfaction with the answer to the question given today by the Minister of the Attorney General. The member for Rainy River has five minutes.

Mr Howard Hampton (Rainy River): The subject of this late show is essentially this: The government, in the form of the Premier, a few days ago indicated that he thought it would be a good idea if the minister responsible for native affairs looked into the allegation that certain very derogatory comments were made about native people in connection with the situation at Ipperwash park.

My leader and other members of the caucus, including myself, have asked now the minister responsible for native affairs, who is also the Attorney General, on a number of occasions what investigative or inquiry process he has put in place, who has been talked to, who has been asked about this, and in the first three or four days that he was asked he neglected to give any information at all.

The third or fourth day that he came in, he indicated that he couldn't talk about it because there was an SIU investigation and that somehow the SIU investigation would interfere with questions about political accountability.

The last day that we were here, he said that he had done some investigative work, that he had inquired, and I asked him: "Have you spoken to the member for Lambton? Have you spoken to the Premier? Have you spoken to all of the actors in the Premier's office? Have you spoken to all of those people who attended the blockade committee meetings? Have you spoken to these people, and if you have, we ask you to table the names of the people you have spoken to in this House."

The Attorney General, minister for native affairs, answers by saying, "My investigations have not indicated, number one, that this comment was made, and of course following from that, who made it."

He says he's done some type of investigation; he says he has inquired of some people. We simply ask that — especially in his role as Attorney General he ought to be concerned about this — if he has talked to people, if he has made this inquiry of people, that he table in the House who it is he's talked to, he table in the House what the results have been, what people have said.

It is very clear on the other side of this argument that, for example, the family of the individual who died at the blockade is convinced that these comments were made. In fact the chief of the first nation went on radio before the incident happened and indicated that the government had taken a certain direction with respect to these matters.

So all we're asking of the minister in this situation — he says that he has conducted some type of inquiry; he says that he has gone and asked what has happened — we're asking him to disclose. What's the nature of the inquiry that has been made? Who has been talked to? What were the questions that were asked? What were the answers? Who were the people who provided these answers?

It seems to me that in a very serious situation, which is what we have here, where the government has been called into question, that the government would want to ensure that there was not any untoward comments made, that the government would want to disclose to the public that it has taken all the appropriate steps, that it has made such inquiries as have been asked for and as were indicated by the Premier would be appropriate. It seems to me that the government would want to come clean; the government would want to lay the record on the table.

If the government does not lay the record on the table, if the Attorney General, the minister responsible for native affairs, cannot lay before the House who it is he has talked to, what questions he has asked, what the answers were, the only conclusion we can draw from that is that the government either does not want to disclose this information — and we can't imagine what the reason would be for not wanting to disclose this information — or, reluctantly, we may have to conclude that the government is trying to cover up some information.

The Deputy Speaker: The Attorney General has five minutes.

Hon Charles Harnick (Attorney General, minister responsible for native affairs): I have made inquiries, as the member has asked me to do. His inquiries were specifically related to finding out who made a particular comment. I have made those inquiries. I have found no one who knows anything about that particular comment. That's all I have to say.

The Deputy Speaker: There being no further debate, I deem the motion to adjourn to be carried. This House stands adjourned until 1:30 pm next Monday afternoon.

The House adjourned at 1809.

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TABLE DES MATIÈRES

Jeudi 6 juin 1996

AFFAIRES D'INTÉRÊT

PUBLIC ÉMANANT DES DÉPUTÉS

**Loi de 1995 modifiant la Loi portant
réforme du droit de l'enfance,
projet de loi 27, *M. Hastings*
Adoptée 3362**

PREMIÈRE LECTURE

**Loi de 1996 créant des crédits
d'impôt et visant à stimuler
l'économie, projet de loi 70,
M. Eves
Adoptée 3379**

DEUXIÈME LECTURE

**Loi de 1996 sur l'amélioration des
normes d'emploi, projet de loi 49,
M^{me} Witmer
Débat ajourné 3400**

CONTENTS

Thursday 6 June 1996

PRIVATE MEMBERS' PUBLIC BUSINESS

Children's Bill of Rights, private member's notice of motion number 20, <i>Mr Cooke</i>	
Mr Cooke	3347, 3354
Mrs Munro	3348
Mr Bartolucci	3349
Mr Wildman	3351
Mrs Ecker	3351
Mrs Pupatello	3352
Mrs Boyd	3353
Agreed to	3362
Children's Law Reform Amendment Act, 1995, Bill 27, Mr Hastings, second reading	
Mr Hastings	3355, 3361
Mrs Pupatello	3356
Mr Bisson	3357
Mr Tilson	3357
Mr Bartolucci	3358
Mr Silipo	3359
Mr DeFaria	3360
Mrs Boyd	3360
Mr Klees	3361
Agreed to	3362

MEMBERS' STATEMENTS

Family support offices	
Mr Gravelle	3362
Occupational health and safety	
Mr Christopherson	3362
Anniversary of D-Day	
Mr Jim Brown	3363
AIDS treatment	
Mrs Caplan	3363
Forest industry	
Mr Bisson	3363
Darts tournament	
Mr Ouellette	3364
Newspaper ownership	
Mr Bradley	3364
Anniversary of CHIN Radio-TV International	
Mr Silipo	3364
Fort Erie Progressive Conservative Association of Women	
Mr Hudak	3364

STATEMENTS BY THE MINISTRY AND RESPONSES

Young offenders	
Mr Runciman	3365
Mr Ramsay	3365
Mrs Boyd	3367
Economic stimulation	
Mr Eves	3365
Mr Phillips	3366
Ms Lankin	3366

ORAL QUESTIONS

Obstetrical care	
Mrs Caplan	3367
Mr Wilson	3367
Interprovincial trade	
Mr Conway	3368
Mr Eves	3368
Young offenders	
Mrs Boyd	3368
Mr Runciman	3369, 3370
Mr Kormos	3370
Parole officers	
Mr Ramsay	3370
Mr Runciman	3371
Ipperwash Provincial Park	
Mr Wildman	3371
Mr Harnick	3371
Workers' Compensation Board	
Mr Ouellette	3372
Mr Jackson	3372
Plea bargaining	
Ms Castrilli	3372
Mr Harnick	3372
Northern air service	
Mr Laughren	3373
Mr Hodgson	3373
Education financing	
Mr Sampson	3374
Mr Snobelen	3374
Ontario Farm Implements Board	
Mr Hoy	3374
Mr Villeneuve	3374
AIDS treatment	
Mr Laughren	3375
Mr Eves	3375

MOTIONS

Committee membership	
Mr Eves	3375
Agreed to	3375

PETITIONS

Liquor Control Board of Ontario	
Mr Bradley	3376
Health care	
Ms Churley	3376
Drinking and driving	
Mr Baird	3376
Family support plan	
Mr Bartolucci	3377
Education financing	
Mr Hampton	3377
Ontario Hydro	
Mrs Munro	3377
Dellcrest Children's Centre	
Mr Ruprecht	3377
Mr Sergio	3378
Scarborough General Hospital	
Mr Jim Brown	3377

Ancaster bus service

Ms Castrilli	3378
Video lottery terminals	
Mr Kennedy	3378
College of Teachers	
Mrs Caplan	3378
Gasoline prices	
Mr Bradley	3378

REPORTS BY COMMITTEES

Standing committee on government agencies	
Mr Laughren	3379
Report deemed adopted	3379
Standing committee on estimates	
Mr Cordiano	3379
Report deemed received	3379

FIRST READINGS

Tax Credits and Economic Stimulation Act, 1996, Bill 70, <i>Mr Eves</i>	
Agreed to	3379

SECOND READINGS

Employment Standards Improvement Act, 1996, Bill 49, Mrs Witmer	
Mr O'Toole	3379, 3383
Mr Bradley	3382
Mr Parker	3382
Mrs Pupatello	3382, 3385, 3392
	3393, 3398
Mr Wildman	3383, 3389, 3392
Mr Sergio	3383, 3386, 3389, 3398
Mr Ron Johnson	3385, 3392
Mr Baird	3385, 3389
Mr Marchese	3386, 3388, 3389
Mr Carroll	3388
Mr Clement	3390, 3393
Mr Cordiano	3393
Mrs Boyd	3397
Mr Hastings	3398
Mr Bisson	3398
Mr Hampton	3399
Adjourned	3400

ADJOURNMENT DEBATE

Ipperwash Provincial Park	
Mr Hampton	3401
Mr Harnick	3401

OTHER BUSINESS

Notice of dissatisfaction	
The Speaker	3375
Business of the House	
Mr Eves	3376

continued overleaf

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20
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Government
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First Session, 36th Parliament

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Première session, 36^e législature

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Monday 10 June 1996

Lundi 10 juin 1996



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Honourable Allan K. McLean

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 10 June 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 10 juin 1996

*The House met at 1333.
Prayers.*

MEMBERS' STATEMENTS

PORTUGAL NATIONAL DAY

Mr Tony Ruprecht (Parkdale): I rise today on behalf of the Liberal Party for the purpose of recognizing an important event that dates back 416 years ago and has been celebrated as Portugal National Day since 1880.

The celebration of the national day of Portugal is special and unique in the pages of history. Unlike some dates that commemorate an important political event, such as declaration of independence, on this historic occasion we ask the people of Ontario to join our Canadians of Portuguese heritage in the remembrance of a great, world-renowned poet and writer, Luís de Camões. Although he passed away more than 400 years ago, Camões left a living legacy of meaningful poetry, of immortal beauty that has not withered with age.

We're all cognizant and appreciative of the tremendous contributions that our Portuguese friends have made to the development and growth of our province and country, both in economic and cultural fields. Yet, as important as the economic contributions are, the attention of Canadian Portuguese children today is focused not on the prosperity and wealth that opportunities in Canada create but on our democratic system of government, which allows the people of Ontario to celebrate the national literary hero of their forefathers' original homeland as a right.

Indeed, Luís de Camões is an intellectual giant whose footsteps have crossed centuries of time and the Atlantic Ocean to implant into Canada a great heritage of love for literature, poetry and education.

Today in the gallery we recognize the consul general of Portugal and his distinguished guests.

Remarks in Portuguese.

Mr Tony Silipo (Dovercourt): I too am glad to have the chance today to acknowledge and to celebrate with Canadians of Portuguese background Portugal National Day and the Day of Camões, and to note that the Portuguese have chosen the day that celebrates also a poet, Luís de Camões, as the day to celebrate their national day. It is symbolic of the spirit that is typical of the Portuguese as they have travelled the world, and certainly in the great poem, the *Lusiads* of Luís de Camões, is commemorated the travels of the Portuguese throughout the world.

We are the stronger for it, that many of them have chosen to settle in Ontario over the years and now form a vital part of our great Ontario community. It is indeed

that spirit that I want to pay tribute to, the spirit of the Portuguese Canadians, the hard work they have brought to this province to help to build this province — to build the roads, to build the buildings — and as they now are clearly growing continuously year to year and are present in many areas, whether in the world of politics, in the world of the arts or in the world of business. It is with great pride as one who represents many thousands of Portuguese Canadians in this House that I too today, as the great Camões did, sing the Lusian spirit bright and bold.

Mr Carl DeFaria (Mississauga East): It is my privilege to rise today to speak on the occasion of celebrations of Portugal Day. I rise today not only as the member for Mississauga East but as a member who today speaks on behalf of over half a million people of Portuguese background in Ontario, a community almost as large as the population of Newfoundland and three times larger than that of Prince Edward Island.

Statistics Canada in 1991 reported Portuguese as the most predominant non-official language spoken in the city of Toronto. It ranks third in Metro and third overall in Ontario, and it is the fourth most popular non-official language spoken in Canada.

Mr Speaker, through you to all the members of this House I'd like to say that at least 50% of the ridings in Ontario have a sizeable population of people of Portuguese background. They make up 12% to 15% of the population of Cambridge and over 25% of the population in Fort York, Dovercourt and Parkdale. They are homeowners in London Centre, Middlesex, Brampton, Hamilton, High Park-Swansea, Oakville, Ottawa East, Simcoe Centre and Kitchener.

As Ontario's and Canada's first parliamentarian of Portuguese background, and on behalf of the government of Premier Mike Harris, I take this opportunity to wish the entire Portuguese Canadian community a happy Portugal Day.

NORTHERN ONTARIO

Mr Michael Gravelle (Port Arthur): The government's relentless attack on the north continues unabated as more jobs and services are removed from our part of the province. As the Solicitor General knows, the manager of the OPP garage operations in Orillia is coming up to northwestern Ontario today to deliver layoff notices to the workers at the OPP service garage in Thunder Bay tomorrow.

Despite the fact that closing down this garage, which presently services a 520-car fleet from Wawa to the Manitoba border and maintains first nations vehicles from 50 communities in the northwest, will clearly cost the

taxpayers considerably more money, the government continues to focus only on its short-term goal of cutting jobs from the public service.

I've written the minister asking him to provide some evidence that closing the Thunder Bay facility will actually save taxpayers' dollars. I've asked him how isolated communities, some accessible only by air throughout most of the year, can possibly have less expensive, let alone improved, service when the Thunder Bay garages close down.

The minister has not responded to my letter because he knows that this closure means increased costs and, more alarmingly, it also means we may have more vehicles out of service for longer periods of time, which ultimately means a reduction in the force's ability to do its job.

Today I want to put the Solicitor General on notice: We will monitor the cost to the taxpayer of that decision. The heartless attempt to achieve your short-term goals will not be forgotten.

1340

PORTUGAL NATIONAL DAY

Mr Rosario Marchese (Fort York): My statement too is on the theme of the national day of Portugal. Today Portuguese Canadians celebrate the life of Portugal's greatest poet, Luís de Camões. De Camões's legacy lives on and today we share in the beauty and richness of the Portuguese culture, language and people.

In 1955 the first immigrants arrived in Canada from Portugal, Madeira and the Azores. There are currently more than 300,000 people of Portuguese origin living in Canada; 72% live in Ontario, representing the sixth-largest community of ethnic origin in this province.

There are more than 40,000 Portuguese Canadians under the age of 24. They are the future of the Portuguese Canadian community and it is my pleasure this afternoon to introduce examples of their great work.

One of them is the first edition of *Origins*, the University of Toronto Portuguese Association magazine. Written in Portuguese and English, its goal is to promote communication among all members of the Portuguese Canadian community. The creativity, enthusiasm and spirit of these young people are an inspiration to us all. For their literary endeavour, Luís de Camões would be proud.

For the past few years I've also had the pleasure of working with Portuguese Canadian university students at the Portuguese Canadian Student Federation and with the Portuguese Canadian high school students youth council. Their efforts are bringing their cultural capital back into the community at large. Efforts like these help preserve the Portuguese Canadian culture for generations to come. Together, we must all work to foster, strengthen and encourage these young people so that they may follow the dreams of their ancestors of 43 years ago.

INFORMATION TECHNOLOGY

Mr Joseph Spina (Brampton North): I want to extend my personal congratulations to the Portuguese people of this province. But I rise today to recognize the outstanding accomplishments of Ontario's information technology sector.

In my role as parliamentary assistant for small business, I recently had the opportunity to meet with the business leaders of the information technology sector in Ottawa. After discussing with the Ottawa-Carleton Research Institute, the Canadian Advanced Technology Association and touring firms like Mitel and Newbridge, I can tell you that the information technology sector is a model for all of Ontario.

Companies are finding new sources of venture capital, innovating their production, enhancing their marketing and sales approach, and creating hundreds of new jobs each and every week to the tune of about 300 per month.

So when the critics say this government is not fulfilling its commitment to work with business and industry to create an environment for job creation, they can clearly look at the information technology sector. The confidence the IT sector has displayed in investing in Ontario proves that the Harris government is working with industry to create long-term, well-paying jobs.

I hope my colleagues in the Legislature can join me in congratulating the information technology sector on a job well done.

MAGNETIC RESONANCE IMAGER

Mr James J. Bradley (St Catharines): Members of the Ontario Legislature will be aware of my efforts over the past five years to secure permission from the Ontario Ministry of Health to establish an MRI scanner, a magnetic resonance imager, in St Catharines.

When the Ministry of Health announced in February 1995 that it was releasing its request for proposals for 22 new MRI scanners across Ontario, I was confident that St Catharines would be the site of one of those diagnostic machines, and this was confirmed by the ministry last Friday when it was stated that the St Catharines General Hospital would house the new unit.

I wish to thank those presiding officers in the Legislative Assembly who have been tolerant enough to permit me to make reference to the need for an MRI scanner in St Catharines at virtually every possible opportunity, even when the subject under discussion had nothing to do with the medical machine.

Many are under the impression that the Ministry of Health provides this diagnostic instrument and pays for its operation. I wish that were so, but it is not.

The St Catharines General Hospital will have to conduct a \$5-million fund-raising campaign to pay for the cost of the MRI, associated renovations and additional complementary diagnostic equipment. Also, the Ministry of Health will cover only \$150,000 per year of the cost of the operation of the scanner, with the hospital forced to find an additional \$667,000 out of its own shrinking budget to ensure that the MRI is operational. I am confident, however, that our community will rise to the occasion and meet the \$5-million fund-raising goal.

EVENTS IN HAMILTON

Mr David Christopherson (Hamilton Centre): I rise also to join with colleagues in the House in celebrating Portugal National Day. In Hamilton on Saturday we had

the launching of the sixth annual Lusofest celebration, which is a week-long celebration of the Portuguese Canadian community in Hamilton, particularly in my riding of downtown Hamilton where most of the first wave of immigrants settled in.

We celebrate at a time when in Hamilton we are also celebrating our sesquicentennial, the 150th birthday of Hamilton being incorporated as a city.

Applause.

Mr Christopherson: On behalf of Hamiltonians, I thank all the members for their applause in acknowledging our 150th birthday. Indeed, we had the Governor General in town for the entire weekend at a number of important events. I think it speaks volumes that at the same time we were celebrating the rich cultural diversity and important diversity that we have in Hamilton, Lusofest was launched in the middle of that in downtown Hamilton.

I want to join with all members in acknowledging and thanking the Portuguese community for its contribution. They have helped to make Hamilton the beautiful, culturally diverse, exciting place that it is, and the roots that they have set in Hamilton have helped make our 150th birthday that much greater an important celebration.

SENIORS EDUCATION DAY

Mr Terence H. Young (Halton Centre): We've heard many times in this place that learning is a lifelong pursuit, and it's my great pleasure to congratulate the city of Toronto for proclaiming June 10 to be Seniors Education Day.

More than 10,000 senior citizens are involved in programs which take place in community centres and seniors' housing, giving them the opportunity to meet new friends and learn new skills.

Helping our senior citizens to remain active lifelong goes a long way to improving both the physical and mental wellbeing of these very important people.

Participants in these programs assist with the costs of administration by returning the proceeds of arts and crafts made through their classes. This is another example of how we all benefit from citizens who actively contribute to their own wellbeing.

One week remains in a 10-day long celebration of these programs. Several events are taking place across the city of Toronto involving both participants and members of the larger community. I invite all members to lend their support to worthwhile programs such as these, and I congratulate the Toronto Board of Education for its efforts.

VISITORS

The Speaker (Hon Allan K. McLean): I'd like to inform the members of the Legislative Assembly that we have in the Speaker's gallery today a delegation from the Alliance of Portuguese Clubs and Associations of Ontario, accompanied by Mr Antonio Montenegro, consul general of Portugal. Please join me in welcoming our guests.

Mr Bruce Crozier (Essex South): Mr Speaker, on a point of order: I have in the east public gallery today a dear friend by the name of Marion Duncanson celebrating her 77th birthday. She's here with the Elgin Liberal riding association.

The Speaker (Hon Allan K. McLean): The member does not have a point of order.

STATEMENTS BY THE MINISTRY AND RESPONSES

ONTARIO HYDRO RESTRUCTURING

Hon Brenda Elliott (Minister of Environment and Energy): A key promise of the Common Sense Revolution was that our government would move quickly to ensure a reliable and affordable electricity system for the people of Ontario. This is an integral part of meeting our responsibility to attract investment and maintain a strong, competitive economy in the face of upcoming global economic and technological changes.

As the members know, this past Friday I received the report of the Advisory Committee on Competition on Ontario's Electricity System entitled A Framework for Competition. This is a pivotal report in dealing with all the competitive challenges of the future.

I'd like to take this opportunity to thank the committee members for accomplishing a remarkable task in a very short time. I believe the committee's work provides us with the framework needed to discuss how our province can continue to attract investment, create jobs and compete globally.

The recommendations in this report call for profound change, introducing competition and market discipline into the current monopoly system in Ontario. They also include, with competitive rates, introducing a system of competitive bidding and the creation of a level playing field among a mix of public and private generators to achieve low rates; with regard to responding to change, separating Ontario Hydro's generating, transmission and distribution functions into distinct companies to open up the current monopoly; with regard to community control of local decision-making, streamlining Ontario Hydro and municipal distribution businesses to ensure local accountability, efficiency and competition at the retail level; and with regard to protection for the consumer, empowering a regulator to ensure customer protection, fairness and transparency in a competitive market.

This issue is about how to respond to the competitive challenges Ontario increasingly faces from all around the Great Lakes basin and from the northeastern continental electrical transmission grid. It's about how we best achieve a safe, reliable and competitive electricity system to ensure Ontario's economic viability in providing competitive jobs and quality of life in a rapidly changing world. It's about ensuring Ontario's communities have the competitive energy and controls to best represent the needs of their region. This government welcomes responses from consumers, industry and members of this Legislature as it begins to formulate its future direction in the fall.

1350

VICTIMS OF CRIME

Hon Charles Harnick (Attorney General, minister responsible for native affairs): This government will not accept a system that allows victims of crime to suffer twice, first at the hands of the criminal and second at the hands of a justice system that does not respond to and respect victims' needs. Victims have told us that they feel alienated by the justice system. They are intimidated by the system and made to feel that their needs are secondary to the rights of the accused.

Earlier today I had the opportunity to join my colleague the Honourable Dianne Cunningham, the minister responsible for women's issues, to announce our government's latest victims' initiatives. In the Victims' Bill of Rights, we have established a victims' justice fund that guarantees that moneys collected under the victim fine surcharge are dedicated solely to providing services for victims. Our legislation was designed to ensure that victim services were enhanced so that victims receive the support and assistance they need. The victims' initiatives that we are announcing outline how we intend to provide the services to victims that the Victims' Bill of Rights envisioned.

We recognize the need to help victims. That is why the government introduced the Victims' Bill of Rights. Tomorrow, the Victims' Bill of Rights will be proclaimed into law and henceforth June 11 will be designated as the annual day of commemoration for victims of crime.

In conjunction with the proclamation of the Victims' Bill of Rights, I will be announcing the following new initiatives to enhance services for victims: (1) the victim notification system; (2) increased resources for existing victim/witness assistance programs; (3) the expansion of the victim/witness assistance program to new locations; (4) the creation of a community victims' initiative program.

Ontario's justice ministries will be establishing the victim notification system, which will be the first of its kind in Canada. This innovative program is used in many other jurisdictions across North America. It will permit a victim to access by telephone information about their case or about the accused 24 hours a day, seven days a week. This program responds to the need for victims to be kept informed of the status of their case and their offender at all times.

The criminal justice system can be confusing and an intimidating process for victims and witnesses called upon to testify at a criminal trial. Testifying at a trial can be a traumatic experience, especially for women and children. The victim/witness assistance program provides services to victims to help reduce this trauma. The program provides the victims and witnesses, particularly women and children, with the information and support they need to be able to provide effective testimony and to reduce the trauma caused by the court process.

Between 1988 and 1994, the program's combined monthly caseload of wife assault, child abuse and sexual assault victims increased by 225%, yet additional resources were not dedicated to the program during this period. In order to respond to the demand for these

services, funding at existing victim/witness assistance program sites will be enhanced. In addition, the victim/witness assistance program, which is currently operating in 13 sites across the province, will be doubled over the next two years. Victims have told us that they want their communities to be more involved in the healing process and that they need flexible and responsive services.

The fourth part of our announcement is the creation of a community victims' initiative program. We believe that community groups providing services directly to victims should be supported. Individual non-profit groups will be funded by up to \$50,000 to provide services to victims of crime. The focus of this year's funding will be directed towards initiatives to prevent violence against women. Within the first year the program will provide victims and their communities with up to \$500,000 to provide much-needed services directly to victims of crime.

Victims of crime are a priority for this government. We are expanding victims' services and creating new and innovative programs to help victims in order to ensure that victims of crime receive the support and respect they deserve. We are dedicated to bringing about meaningful change in the way victims, especially women and children, are treated in the criminal justice system.

Today's initiatives are another step towards striking a balance between the needs of victims and the rights of the accused. These initiatives will help to restore victims' confidence in the justice system.

Finally, I would like to thank the Honourable Cam Jackson for all his support, direction and leadership in the fight to improve the plight of victims, which has been an invaluable asset to our efforts.

The government is investing \$10.2 million over the next two years to enhance services to victims. These funds will be spent addressing the concerns that victims have articulated.

My colleague Bob Runciman, the Solicitor General and Minister of Correctional Services, will now outline the final part of our announcement: how the government intends to enhance services to victims prior to and after the court process.

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): I am announcing today the expansion of an important program to provide emotional support and practical assistance to victims of crime. I'm also announcing the beginning of a new program to develop an automated system to notify victims of crime when criminals are released from custody.

As my colleague the Attorney General mentioned a few minutes ago, we take our commitment to improve conditions for victims of crime very seriously. Our intention is to provide a coherent system of support for victims that begins with the first involvement of police services and which continues throughout the judicial process and through the release of criminals following any period of incarceration. We want to ensure that the judicial system does not impose further penalties on those who have already suffered from the actions of criminals.

I'm especially pleased to announce an expansion of the victim crisis assistance and referral service that will see it triple in size this year and become five times larger by

the end of next year. The service is operating at four sites now, by the end of this year it will be in 12 locations and by the end of next year it will be in 20 locations.

Many members of the public are not aware of the victim crisis assistance and referral service. We call it VCARS. It is one of those programs that go along without making any waves, doing excellent work for people across this province without attracting a great deal of attention. VCARS is a community-based program that provides immediate crisis assistance to victims of crime or tragic circumstances 24 hours a day, seven days a week.

In communities where the program operates, police officers attending the scene of a crime can call VCARS for assistance. VCARS will send out a team of trained volunteers to help the victim and to make sure she gets the follow-up help she needs from other community organizations. I say "she" because 70% of all victims assisted by the program are women; a large proportion are victims of domestic assault or abusive relationships. Last year 400 VCARS volunteers contributed about 200,000 hours of unpaid work. They gave immediate emotional support and practical assistance to more than 5,000 victims of crime.

I also wish to announce to this House the steps the government is taking to ensure that victims of crime are notified of significant developments in the cases that affect them, especially the release from custody of the criminals who harmed them. Beginning immediately, technical staff in my ministry will begin developing an automated system to provide information to victims of crime by telephone.

1400

Victims will be able to register for this service and would be given a personal identification number. The notification system would be connected to the offender management database used by the correctional service.

When an offender is released from custody on parole or temporary absence, the system would automatically telephone the victim and keep calling until it received an answer, verified with the personal identification number. If the victim didn't respond, the system will notify the local police.

The cost of these two programs and the other programs for victims announced by the Attorney General a few moments ago will amount to about \$10.2 million over the next two years. That money will be taken from the victims' justice fund which this government enshrined in the Victims' Bill of Rights. This government has made a commitment to use that money for the benefit of victims. Today we are following through on that commitment by improving the services and the information available to victims of crime.

This government takes very seriously our commitment to rebalance the criminal justice system so that the rights of victims are given greater weight. The programs we are announcing today are among the steps we are taking to honour those commitments.

Mr David Ramsay (Timiskaming): I say to the two justice ministers that these four programs that flow from the Victims' Bill of Rights legislation are very important programs to the people of Ontario. It is certainly a sad

commentary on criminal justice matters in this province that we have to bring in programs such as this because we have such a great need with the many victims of crime that we have, as we only have to continue to read even as of this weekend here in Toronto.

I say to the ministers that the victim fine surcharge program has been in place for the last two years and it has amassed some \$20 million, which has only gone into the general government coffers, and it is certainly timely now that finally we start to use this money for these programs.

In regard to that money, there is still some money left from the last two years, and I would say that victims' rights organizations in Ontario will want to see some accountability of that money and to make sure all of the money that comes from the perpetrators of crime is used towards restitution for those victims.

We would also be very interested to know what the criteria are for the disbursement of all this money into these programs and to make sure the various community groups, the policing groups and the victims' rights organizations are involved in an indirect way as far as consultation but also in a direct way so that they can spend that money at the community level. As the minister would be well aware, at the police summit this weekend the police supported this concept for victims' rights at the community level.

I would also, though, wave this flag of warning to everyone in this Legislature. This is a government party that said in the election it would not be touching any money that went towards the criminal justice system, and of course we have seen many, many cuts since they took office. In fact, there are over \$19 million in cuts to date in the criminal justice system. These cuts include a \$600,000 reduction in funding for major criminal law prosecutions, a \$4.74-million cut to the Partners in Community Safety programming, which is a main community policing program that would do a lot, as all studies have attested, towards the prevention of crime in the first place and therefore the reduction of victims at the front end rather than at the bottom end.

The cuts go on, and we will hold the government's feet to the fire when it comes to criminal justice matters to make sure that it works very hard at crime prevention as well as victims' rights.

ONTARIO HYDRO RESTRUCTURING

Mr Sean G. Conway (Renfrew North): On behalf of my colleagues, I want to say a word about the Minister of Energy's statement today about the report of the so-called Macdonald commission on electricity reform in Ontario.

Like all members, I certainly appreciated the good work that Mr Macdonald, Mr McKeough and others on that panel did. The report was released, as the minister indicated, on Friday morning. It is thoughtful, thought-provoking. It deals with an issue that is an extremely important one for the province as a whole.

I want to say to the minister that my colleagues and I have some very real concerns about some of what Mr Macdonald has commented upon and recommended. I

have particular concerns about some aspects of the policy that do not appear to be developed in any significant way. It strikes me, for example, that if one is a rural Hydro customer in 1996, one would want to know whether the new electricity order is going to provide the kind of support that the rural rate assistance program has provided over these past number of years and decades.

Let me simply say to the minister that it is clear from this report, the Macdonald report, that the panel rejected the Mike Harris-William Farlinger plan for wholesale privatization of Ontario Hydro, and to that extent we certainly appreciate the work of the panel. But we are concerned that as of this afternoon we still do not know what the policy framework and what the political timetable of the Ontario provincial government led by Mr Harris are going to be. We have in the minister's statement this afternoon no comment whatsoever on what particular kind of timetable and within what kind of government policy framework electricity reform is now going to unfold. Industrial and residential electricity consumers around Ontario want to know what your policy directive and timetable are going to be as we look at the electricity sector in the coming weeks and months.

Ms Marilyn Churley (Riverdale): Friday was a dark day for the future of electric power in Ontario. Donald Macdonald is a one-man energy conglomerate whose companies, like TransCanada PipeLines, would love to take advantage of the recommendations he's now making.

Our party is in favour of competition provided it can be done in a way that doesn't jeopardize equitable rates for rural and northern communities, hurt the environment or leave taxpayers picking up the tab for Hydro's assets. We also agree that when Hydro needs new supply it will likely be in the form of small renewable projects and gas-fired cogeneration plants; of course we're in favour of that. We should also make an aggressive effort through energy conservation to avoid new supply.

The problem is that Macdonald's love affair with privatization and the private market has caused him to make a giant leap of faith into private power. He wants to privatize almost a third of Hydro's generating capacity. While he says "pure politics" means he won't recommend selling off Niagara Falls, he wants to put a For Sale sign on every other waterfall in the province. These are Hydro's most profitable assets. They pay for the nuclear stations. Why get rid of them?

He also wants to sell off the fossil fuel plants. These are Hydro's dirtiest plants. Right now they are used only to fill peak demand, but if they're sold off you can bet the new owners will want a guarantee they can run them more often. That means more acid rain and more pollution.

Then there's the issue of rates. For many people this is the top issue. Hydro's own discussion paper — Competition, Convergence and Customer Choice — issued last September says privatization would drive up rates by 26% to 30%. Where are those figures now? That's because a private electric company would have to pay investors a high rate of return and because such a company would have to pay taxes. Yet Donald Macdonald somehow comes to the conclusion that rates would go down. How? A study done by an anonymous brokerage

house that amazingly ignores the whole impact of privatization on rates. It's absurd.

I should note that even Macdonald didn't recommend privatization of nuclear power stations — at least at this time, he said — or Niagara Falls. Macdonald understands what the Premier and the government should also understand, that the people of Ontario will not stand to have Hydro's key assets sold off.

I call on the minister today to hold full public hearings on this report, and that all relevant documents be released immediately to the public so we can see what's really going on behind the scenes.

VICTIMS OF CRIME

Mrs Marion Boyd (London Centre): The announcement by the two justice ministers is good news for victims in the province. We are delighted to see this government finally moving on plans that would have been in place some time ago had they not taken over and interrupted what was already announced and in place to take place during this past fiscal year, 1995-96. It's very important when people listen to this announcement to understand it in the context of the budgetary constraints that have already happened: \$5 million this year has been taken out of victims' services like second-stage housing, male batterers' programs, prevention, education and training programs. And it is very important for victims to understand that the prevention initiative undertaken by our ministry, which would have totalled \$9 million over five years going out to Partners in Community Safety, was cancelled by this government.

My colleague the member for Timiskaming rightly pointed out that the victim fine surcharge fund, which we as a government set up in February 1994, now has over \$20 million in it, which increases each year. Estimates were that there would be at least \$9 million a year, and this government is putting in \$10.2 million over two years.

This is a dedicated fund. It was dedicated by us and it was confirmed by your Victims' Bill of Rights that it would be dedicated, and we want to know where the rest of the dollars are going. If victim fine surcharges are not being levied by the courts or asked for by crown attorneys, it is the responsibility of the Attorney General to ensure that those instructions are given to crown attorneys and the responsibility of his ministry to consult with the groups that are concerned. This is good news, but it's not as good news as it should be, given the amount of the funds that should be available.

1410

MEMBERS' ANNIVERSARIES

Mr Sean G. Conway (Renfrew North): Mr Speaker, to beg your indulgence for a moment, I'm sure the House would want me to observe that yesterday, June 9, was the 19th anniversary of the first election to this place of our colleagues Mr Sterling, Mr Bradley and Mr Cooke. Some of us can't imagine how it is possible that one could be in a place like this for 19 years, but we wish them many happy returns on that anniversary.

ORAL QUESTIONS

SHEPPARD SUBWAY

Mrs Lyn McLeod (Leader of the Opposition): My first question is for the Minister of Transportation. I ask this question, recognizing that all of us are concerned about jobs. Do you know how many jobs would be created by the Sheppard subway line completion?

Hon Al Palladini (Minister of Transportation): I thank the honourable member for the question. I couldn't really give you the exact number, but I believe it's over 2,000 FTE.

Mrs McLeod: I beg to correct the minister. In terms of the total impact, the project would create some 43,700 direct and indirect jobs — 19,000 construction jobs alone. These are the jobs you killed last Thursday. Your government talked a lot about seeing new jobs created for the unemployed in this province; nowhere did you talk about killing jobs, and yet last Thursday the thousands of people who were planning on working on the Sheppard subway got the news. Last Thursday, when most of us had already gone off to our constituency offices, you quietly killed the Sheppard subway and all the jobs that would have gone with it.

Given the job crisis this province is facing, why did you tell these thousands of workers that they might as well just hit the road? Why have you killed this investment? Why have you driven a stake through the Sheppard subway?

Hon Mr Palladini: The honourable member is somewhat correct as far as the total number of jobs if you take into consideration input from within the industry.

So \$511 million is killing the Sheppard subway? This government is committing \$511 million to build Sheppard at a time when we've had to tighten our belt and govern with fiscal responsibility, and the honourable member says that this government is killing Sheppard? The government is committed to building Sheppard, and we're committed by spending \$511 million to do it.

Mrs McLeod: That is certainly not what Mel Lastman said last Friday. He said that not only had this government's cuts threatened the Sheppard subway, this cut had killed the Sheppard subway. It's \$117 million taken out of this project alone and almost \$100 million taken out of TTC's renovation costs on top of that. Does the minister really think they would be able to go ahead with it?

It is obvious that your understanding of public transit or your concern for it doesn't extend beyond the lot of Pine Tree Lincoln-Mercury and that your government has absolutely no concern for public transit. We've had the Minister of Environment openly showing her disdain for public transit, and we've had you telling us that everybody has a car and cell phone, so why worry about it anyway?

It's clear that you don't worry about public transit. It's equally clear that you have no concern for the jobs you have just killed and that the only jobs your government is creating are going to be for unemployment councillors. Last month alone, the province of Ontario lost 17,000 jobs.

Minister, do you believe that your decision to kill the Sheppard subway and the 43,700 jobs that would have gone with it is going to make that unemployment situation better or worse?

Hon Mr Palladini: I would like to correct one part of the honourable member's question. I am now in the transportation business, not the car business. However, let's talk about the TTC repair.

Interjections.

Hon Mr Palladini: I have been in this House for approximately six months and I always have the courtesy to listen to the question. Some members of the opposition have no respect for this House or its procedures, and I would appreciate it, Mr Speaker, if you would ask for some calmness and quiet.

Interjections.

The Speaker (Hon Allan K. McLean): Order. Minister.

Hon Mr Palladini: This government has been saying right from the beginning that we want a balanced transportation system, and we've shown our commitments to achieving that not only by investing \$350 million back in our highway infrastructure, which the last two governments allowed to deteriorate, but we are also investing \$390 million to rehabilitate transit systems across the province. That's a firm commitment to making sure our public transit, number one, is safe.

The Toronto Transit Commission is one of the least effective agencies across the continent. If you were to compare it with other municipalities, if you were to compare it with —

Interjections.

Hon Mr Palladini: Here we go again, Mr Speaker. They don't want to hear the answer.

The Speaker: Order.

Interjections.

The Speaker: It's your time you're wasting. Minister, try and wrap up your answer.

Hon Mr Palladini: I just want to share some numbers with the honourable members. The Toronto Transit Commission employs approximately 9,800 people in the transit system; 41% of those employed in the TTC actually drive a bus or collect a token. It is the worst transit system across the country. There are provinces —

Interjections.

Hon Mr Palladini: If they want to have more information, maybe they can be quiet, Mr Speaker. There are provinces that are operating at 70% efficiency with bus drivers and token collectors. We are committed —

The Speaker: The question has been answered. New question; the leader of the official opposition.

Mrs McLeod: Obviously the Minister of Transportation is hearing so many other voices that he couldn't hear the simple question, why did he kill the Sheppard subway?

EDUCATION FINANCING

Mrs Lyn McLeod (Leader of the Opposition): I'll turn now to the Minister of Education and Training with my second question. Minister, you have said repeatedly that the policy of your government is that cuts to school

boards are not supposed to increase the tax rates for local property taxpayers. In fact, I believe the Premier has stated on more than one occasion that if a school board should raise property taxes as a way of dealing with your cuts to them, he may personally intervene. I ask, is it still your government's policy that boards should find the ways to manage your cuts without raising property taxes?

Hon John Snobelen (Minister of Education and Training): I'm sure the honourable member knows from her experience in government that over the course of the last decade there have been considerable increases to the local taxpayer based on the policies of both the former Liberal and former NDP governments; in fact, those are fairly extraordinary in some cases.

1420

However, I believe, having examined the financial situation in the education system in Ontario — and we've dealt with that in the House here on many occasions, the amount of money that's spent outside of the classroom, the difference between what we spend here in Ontario and what they spend in other jurisdictions across Canada — there's every evidence that we can make the reductions that we've asked for: less than 2% for every school board in the province, less than 2% reduction overall in the cost of education. Surely, those reductions can be made outside of the classroom.

Mrs McLeod: Since that's exactly the same answer that the minister's given to every question that I've raised in this House, I did understand that that was his government's stated policy. So it came as rather a surprise when we learned recently that your own ministry has directed some school boards in northern Ontario to increase their property taxes by 5%. This is according to a memo from your ministry, Mr Minister, a memo of April that says very clearly that if an isolate school board wants to offer junior kindergarten, they must increase their property taxes by 5%. You'll be aware that these are isolate boards that serve communities in remote areas of northern Ontario.

But I remind you that you have previously stated to all boards in the province that junior kindergarten is now a local option. If the board wants to provide it, if they can find a way to fund it, they can go ahead. Now you're telling these boards that if they can find a way to fund junior kindergarten from their existing budget without raising taxes, they are still going to be required to increase their property tax rate by 5%.

I find myself wondering whether this is some unique brand of common sense that you will have to explain to us. How can you explain that the Ministry of Education and Training is ordering boards to increase property tax rates when your own government policy clearly states that your funding cuts are not to be passed on to local ratepayers?

Hon Mr Snobelen: I'm sure that the honourable member opposite knows, the Leader of the Opposition knows, that's not the policy of the ministry, and if the leader would like to send a copy of whatever she's reading from over here, I'll examine it.

But let me say this. This government kept its promise to the people of Ontario and kept its commitment to the

people of Ontario that we made very clearly in the Common Sense Revolution, and that is simply, around the issue of junior kindergarten, that we would restore it as a local option. We would allow local boards, including isolate boards and other boards across the province, the option of meeting their local needs. Surely that's the role of local boards, and that's the role we've asked them to uphold.

Mrs McLeod: I will be happy to send the minister a copy of his ministry's memo, since he's clearly not aware that his ministry is imposing a 5% increase in property taxes on these boards if they choose to keep junior kindergarten. I'll also send the minister a copy of a letter that was written to him from the Connell and Pondsford board, a letter on May 10, in which they asked the minister if he will not give them the option of being able to fund junior kindergarten from within their own resources, or at least decide themselves whether they want to raise property taxes. Clearly, the minister's answer must have been no, because this board has now written to the minister saying they have made the difficult decision to cancel junior kindergarten, a program which they have run for 17 years.

The Upsala board of education has said very clearly they can run junior kindergarten within their existing resources, they don't need to raise property taxes, but they've been told they can't do that. You're not giving them the option. They either kill junior kindergarten or they raise taxes by 5%.

So I ask you again, why are you forcing these boards to raise taxes? If you don't think that your cuts require tax increases, why are you imposing them on these boards?

Hon Mr Snobelen: I'm a little perplexed, perhaps, about the kind of questioning, and I'll get to that in just a moment.

Obviously, I think people across the province understand that a 1.8% reduction in operating costs is doable in a system where a considerable amount of our costs have been outside of the classroom. There are choices that need to be made, but they're choices around where to spend the money outside of the classroom, and we believe those things can be done.

I'd like to say that there are school boards across the province that have been able to make those reductions and have been able to offer a full plate of services that are considered valuable in their communities.

But let me go to the fundamental question the Leader of the Opposition has raised today, and that is the whole question around raising mill rates, the local taxes. The Leader of the Opposition will know about raising mill rates, because from 1985 to 1990, 242 school boards raised mill rates during her government. Let me give you some ideas of what these percentages were: Oshawa, 76%; Port Hope, 76%, Collingwood, 74%; New Liskeard 68%; Newark, 64%; Vaughan, 64% — and the list goes on.

If the members of the third party are smiling, it's because their double-digit increases during their term of office were slightly smaller. From 1990 to 1993, Port Hope, 28% —

The Speaker (Hon Allan K. McLean): Order. The question has been responded to. New question; third party.

Mr Bud Wildman (Algoma): Mr Speaker, I don't like to dispute with you, but it hasn't been responded to. The point is that the minister doesn't seem to know what an isolate board is or that his own ministry has told boards that have found savings they have to impose a 5% increase.

YOUNG OFFENDERS

Mr Bud Wildman (Algoma): My question is to the Solicitor General regarding the situation at Elgin-Middlesex. The minister obviously is responsible for the activities carried out by the staff of his ministry or for actions not taken by the ministry staff. The fact is that the incident took place on February 29. Allegations were made and investigations were initiated by the advocate. We understand that the advocate reported on findings on an ongoing basis to the minister's ministry staff. When was the minister aware of the serious allegations that were raised around the incident at Elgin-Middlesex that allegedly occurred on February 29?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): I indicated last week, in response to a question from the third party, actually, that I was advised following cabinet last Wednesday.

Mr Wildman: We know that on March 4 Judy Finlay, the child and family advocate, said that she informed the acting deputy minister of her concerns regarding alleged excessive use of force at Elgin-Middlesex. When did the acting deputy minister and the assistant deputy minister, correctional services division, first find out about these allegations? Were they aware of them before the advocate contacted them? When was the exact date that they knew?

Hon Mr Runciman: My understanding is that they were aware at the March 4 briefing, as the leader indicates. This was following or in fact during the OPP investigation of the Bluewater incident and other matters surrounding that. Ms Finlay indicated her concerns and was encouraged to conduct a full investigation surrounding those concerns.

Mr Wildman: As recently as January 12, 1996, the assistant deputy minister, Neil McKerrell, sent out a ministry directive regarding proper procedures to be followed when allegations of serious criminal activity arise within the ministry. On page 3 of that document, it states, "In the event that the manager is unable to determine whether an incident constitutes serious criminal activity, including physical assault, the police will be consulted." Not "should be," but "will be." "In cases where there is an allegation that criminal activity, including physical assault, involving employees or clients related to the conduct of ministry business, the manager shall report the allegation to the local police service or the Ontario Provincial Police detachment."

1430

Why was this directive not followed with regard to the situation at Elgin-Middlesex? Who decided that these serious allegations about possible criminal activity within

the ministry at Elgin-Middlesex about young offenders being beaten or mistreated did not warrant calling in the police until three months after the incident, at the end of May?

Hon Mr Runciman: I would remind the leader that the police were involved. I mentioned on March 4 —

Mr Wildman: No, not at Elgin-Middlesex.

Hon Mr Runciman: Well, they were involved with dealing with the young offenders.

Mr Wildman: At Bluewater, not Elgin-Middlesex.

Hon Mr Runciman: They were interviewing young offenders during that whole period of time. On March 4, when the discussion took place that the leader has referred to, the OPP investigation was still ongoing. At that point in time, the advocate indicated to the acting deputy that she had concerns based on some preliminary interviews that she had had with some of the transferred young offenders that they may have indeed been abused. She was encouraged to conduct a full and thorough investigation, which she did. Following completion of that investigation and tabling and delivery of that report, the ministry responded very promptly and appropriately.

The Speaker (Hon Allan K. McLean): New question; third party.

Mrs Marion Boyd (London Centre): I'd like to also go to the Solicitor General because, Minister, it's quite clear from the statements that you've made here in this House that you are claiming to be completely unaware of what was going on in your ministry, despite the fact that as the minister of the crown you should have known and, in fact, there is a policy set out in your own ministry that requires that the minister be informed when serious allegations of this kind are made. You're telling us you weren't informed, so obviously you have a problem in your ministry. It's your responsibility when there are allegations of assault to know what's happening through the chain of command within your institutions.

Your ministry was made aware of the situation at Elgin-Middlesex as early as March 4, and you did nothing until May 31. Even more seriously, we received information informing us that at 10 am on Saturday morning last, June 8, managers began arriving at the Elgin-Middlesex Detention Centre. We understand that Jack Huber, the deputy superintendent; Peter Bugalis, the security officer; Kevin Killough, the health care coordinator; and Gary Hogarth, assistant superintendent of corrections, went to the Elgin-Middlesex Detention Centre. We are told they did not leave that facility until 4 am on Sunday morning, and we are told that during that lengthy period of time those managers were in the facility, a considerable amount of shredding of documents took place.

Minister, in view of the ongoing investigations, can you explain to this House why government documents at Elgin-Middlesex were being shredded this past weekend by management staff?

Hon Mr Runciman: That's an allegation being made by the member, and it will indeed be pursued. The suggestion that nothing took place from the time that ministry officials were made aware of these concerns is simply inaccurate. In fact, there was a very extensive and thorough investigation carried out by the child advocate.

I met with the child advocate this morning, and she indicated to me that she was indeed very satisfied with the cooperation and support she received from corporate officials within the ministry and, in turn, with the response that the ministry has made with receipt of the document.

With respect to the fact that I was not apprised of the allegations, I certainly concede that that was a failure, that there was a breakdown in terms of the communication system. This is not something new to this ministry, as that member will be aware and as the Liberal government will be aware. There have been historical problems with respect to reporting mechanisms and accountability. We're certainly moving in terms of the internal investigation to ensure that those safeguards that apparently were not in place will be in place in the future.

Mrs Boyd: Clearly the minister did not answer the question. Minister, we've been told there was the shredding of documents at that centre, a centre that's under investigation by your own ministry, and other investigations.

You know very well that events at Elgin-Middlesex Detention Centre have raised considerable controversy and it is very, very important that you understand that the questions that have been raised about your conduct and your knowledge as minister and about your deputy minister and the staff within your ministry are serious questions. They're questions of confidence, because we need to have confidence that the systems that have been put in place to protect prisoners are working and that the way in which incidents of this kind are handled are geared to the safety of individuals.

Again I ask you, Minister, will you explain to this House what documents were being shredded this past weekend, and what do you and your ministry have to hide?

Hon Mr Runciman: The member has raised another very serious allegation with respect to the conduct of ministry officials and I've committed today to undertaking a thorough investigation to determine if indeed those are accurate in terms of what she's suggesting here today. If indeed that's the case, we will provide a full explanation. If the explanation is not satisfactory, we'll take the appropriate action.

Mrs Boyd: Minister, frankly you're stretching our imagination a little further than it can go and than is logically reasonable. Can you give me some explanation? What possible reason would management staff have to be at the Elgin-Middlesex Detention Centre from 10 am on Saturday morning till 4 am on Sunday and to be present while documents were being shredded? Can the minister explain what logical explanation there could be for that very unusual circumstance?

Hon Mr Runciman: I'm not sure I understand the continued line of questioning here. I have indicated very clearly that you've raised a serious series of questions and that I will pursue them and we will provide answers.

MINISTRY OF ENVIRONMENT
AND ENERGY STAFF

Mr Dalton McGuinty (Ottawa South): My question is for the Minister of Environment and Energy. Minister,

I learned today that you are firing from your ministry Bill Keller, the world's foremost authority on acid rain. Mr Keller has devoted over 25 years as a faithful Ontario public servant studying the effects of acid rain on northern Ontario lakes. Not only did Bill discover what was causing thousands of our lakes to die, but his research continues to tell us how to attack this problem and how we can bring our dead lakes back to life.

Bill had received countless awards for his research, including some from your ministry. He's been published on over 40 different occasions, including in *Nature* magazine, a copy of which I have here, which is the environmental equivalent of the *New England Journal of Medicine*.

Last fall, Premier Harris awarded Bill Keller the Amethyst Award for outstanding achievement in the Ontario public service. Today you fired him in a move to downsize.

Minister, how can you fire the world's foremost authority on acid rain? How can you deprive your ministry and the people of this province of the tremendous benefits of his continuing work?

Hon Brenda Elliott (Minister of Environment and Energy): What I can say to my colleague across the way is it's never easy when anyone has to be dismissed from a position. Downsizing is occurring in all of our ministries. One of the things I have come to realize in my ministry is that there are very, very many qualified people who are exemplary in their work.

As part of our attempt to restore this province to fiscal soundness we have undertaken to reduce the staffing in our ministry and unfortunately the gentleman who is referred to by my colleague across the way is one of the gentlemen whose positions will no longer be continued.

Mr McGuinty: Minister, the signal you send when you fire Bill Keller is the signal you've been sending many times already as minister of environment. It's the same signal you sent when you changed Ontario laws to encourage urban sprawl; it's the same signal you sent when you changed Ontario laws to help wind up our conservation authorities; it's the same signal you sent when you got rid of intervenor funding; it's the same signal you are sending at present when you're refusing to support mandatory vehicle emissions testing.

The signal is quite clearly this: When it comes to the environment, you don't care. You don't care if your ministry is dismantled. You don't care if you will no longer have enough staff to enforce our laws. Here's a chance to send a different signal.

Keep Bill Keller on staff. Keep the world's foremost authority on acid rain working for the people of this province so that we and our lakes can benefit from his work. Bill Keller is asking to stay on with you. He's only 43 years of age. He loves his work. The international scientific community is asking that you keep him on. You've received faxes from Norway, Sweden and Germany in this regard. On behalf of all Ontario citizens, I'm asking that you keep Bill Keller on staff so he can continue his work of such vital importance to our lakes. Will you do that?

Hon Mrs Elliott: As my colleague across the way will understand, when a position is being downsized there are

certain procedures that must be followed, and this is of course the case with this position as well. While he may think we are somehow not taking care of the environment, what we are doing is taking very good care of the environment by focusing our resources, by sticking to the core business.

The former government decided that it could, through the Ministry of Environment and Energy, do everything. It is not possible. We've approached financial bankruptcy in this province as a result of that kind of thinking. It cannot continue; it will not continue in the Ministry of Environment and Energy. We will focus on our core businesses and we will do them extremely well for the protection of the environment.

1440

YOUNG OFFENDERS

Mrs Marion Boyd (London Centre): My question is to the Solicitor General. In the advocate's summary report dated May 24 that was submitted to you, the advocate concluded that the youth at EMDC were subjected to treatment inappropriate for young offenders, which can be roughly classified in two categories: excessive force and insufficient care. They were subjected to excessive force and intimidation under a number of circumstances. During the admission process they were verbally and physically intimidated, prodded, struck, kicked, humiliated, many of them sustaining injuries.

It is my understanding that all of the young offenders who are admitted to the Elgin-Middlesex Detention Centre are seen by health care staff subsequent to their admission. Could you confirm that this was the case in this particular instance?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): I don't believe that happened in this situation. Elgin-Middlesex has an adult unit and a youth component. In this particular situation, because of the riot at Bluewater and the 40 transferees from Bluewater to Elgin-Middlesex, they were put into an isolated adult unit and not into the young offenders' unit at that facility. Of course, as the member is aware, this was during a labour difficulty, a strike situation. I'm not justifying in any way, shape or form that perhaps the normal proceedings weren't undertaken, but I think we should put it in the appropriate context.

The member raised some names in her earlier question. I have a note that confirms that the names the member used are part of the internal investigation team looking into the question surrounding this. She raised the issue of shredding, a very serious allegation, and we will pursue that.

Mrs Boyd: It is very clear from the advocate's report that these young offenders had been beaten and mistreated. One assumes that there would have been some medical evidence if that were indeed the case. It's not clear to me. Is the minister telling me that these young people were never seen by medical staff and that there are no medical reports available? That's a fairly serious issue, given the responsibility that is the minister's under the Young Offenders Act for care of young offenders. It's a very serious problem if there are no medical records. If

there were medical reports, to whom were they submitted and why was no action taken? The minister is well aware that the police rely on medical reports in cases of assault as part of their evidence. If there were assaults, first of all, why was the appropriate procedure not followed in the case of young offenders? Number two, why were the police not called if medical staff were aware of injuries?

Hon Mr Runciman: Those are indeed valid questions, and I think the advocate raises many of them as well with respect to her report and in terms of her concerns about injuries that were, in her view, obvious and apparent. I guess there could be some question in terms of where those injuries occurred and how they occurred and who was involved in inflicting the damages. Those are all part, I agree, of the police investigation and certainly an element of the internal investigation as well that's being carried on by the ministry.

I cannot address that in an any fuller sense, other than obviously I agree with you. These are legitimate concerns and they're being pursued.

LAW ENFORCEMENT

Mr Ed Doyle (Wentworth East): My question today is again for the Solicitor General. Recently there have been some media reports concerning the illegal activities of motorcycle gangs and some illegal activities including violence. I wonder if the Solicitor General could give us some information as to how he plans to handle this particular problem.

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): I think we all recognize there's growing public concern with respect to this whole problem and the potential for an escalating level of violence. Our government supports the resolutions passed at the chiefs of police law enforcement summit in Ottawa in February 1996, and the province has moved to expand its province-wide enforcement responsibilities in this area. We have assigned expert personnel who are now dedicated to investigate and monitor the illegal activities of outlaw motorcycle gangs in Ontario, nationally and internationally. The province of Ontario is very strongly committed to immediate and sustained enforcement action which will send a message to biker gangs that Ontario is not open or available for business supported by illegal activities.

On May 30, 1996, the Canadian Association of Chiefs of Police announced the kickoff of a new nationwide joint initiative in law enforcement communities campaign to curtail the illegal activities of outlaw motorcycle gangs, and the OPP is involved and fully supports this initiative.

Mr Doyle: Apparently the weekend reports also had reported that the motorcycle gangs indeed are attempting to merge so they can become more powerful, and I wonder if you could tell the people of Ontario what your plans are to put a stop to this.

Hon Mr Runciman: At the recent federal-provincial-territorial justice ministers' meeting, both the Attorney General and I raised the concern that Canada is the only G-7 nation without legislation to combat organized crime. We urged the federal minister, Mr Rock, to amend the

existing legislation to permit a statute similar to the racketeer influence and corruption organization statute in the US, commonly referred to as the RICO statute, which will permit law enforcement agencies in this country to attack the overall structure of organized crime, including illegal biker gangs. We will continue to pursue that with the federal government.

ONTARIO HYDRO RESTRUCTURING

Mr Sean G. Conway (Renfrew North): My question to the Minister of Environment and Energy. Electricity consumers across Ontario were told on Friday that there is a way to reform the electricity sector in this province to moderate and reduce rates for both residential and industrial consumers. On behalf of those electricity consumers, let me ask you what you and your colleagues in government intend to do to bring about this brave new world, and how and when you're going to go about your business in this respect.

Hon Brenda Elliott (Minister of Environment and Energy): Certainly one of the reasons we undertook to form the Macdonald commission and to seek advice from across the province was to determine ideas and viewpoints on how exactly to reduce the rates in this province. It's very important that Ontario's electricity sector is competitive, has rates that allow our industries and our businesses to flourish as they compete in a global market. We are concerned that our rates are no longer competitive here in this province. How then do we transform or change the industry such that we maintain our competitive advantage?

Now that we have received the Macdonald report and we've had an opportunity to examine the ideas in that report, what we are saying is that since this began from an opportunity of listening to people and their concerns, we would now like people to come to us, through all our elected representatives here in the House, all our MPPs, to give us their viewpoints on the report itself and on the issue of electricity restructuring in general.

1450

Mr Conway: The Macdonald panel told you on Friday that there was an urgency to these matters in terms of the electricity sector. They also observed that the status quo was not an option.

Electricity consumers around Ontario, residential, industrial and commercial, want to know more precisely how you and your colleagues in government are going to proceed. Will you be striking a select committee of this Legislature in the near future to accept amendments to the Power Corporation Act, or more likely a complete rewrite of the Power Corporation Act? What policy guidelines are you going to pursue in the coming months to ensure that the doctrine of competition, which has been embraced by many, will work to the advantage of all electricity consumers, whether they live in Toronto or in northern Ontario, whether they're residential or industrial?

Hon Mrs Elliott: When we were elected we heard from people that they had a tremendous concern about our rates. There is a school of thought that says we must act very quickly as deregulation occurs around the

province, as we see rates being reduced in other jurisdictions nearby. While we acknowledge that there is tremendous change occurring around us and it's very important that we maintain our competitive advantage, we are not going to rush headlong into this. This is a very serious matter. This is one of the largest utilities in North America. It will require careful and serious deliberation in determining how exactly to go forward.

We have said that we will consult over the summer and that we ask all of our MPPs to meet with their constituents. They can use the Macdonald commission as their framework for discussion and bring their ideas back to the government. Once we have had an opportunity to hear some feedback on this, we will come forth in the fall with a plan to determine how next to proceed.

YOUNG OFFENDERS

Mrs Marion Boyd (London Centre): My question is to the Solicitor General. The allegations that have been made about the destruction of documents at EMDC are very serious. When those making the allegations attempted to call the London police who, according to your statement in this House last week, were called in to investigate these allegations on May 30, they were informed that no one had been assigned to the case. We found out today that some investigators began today. That means there had been no securing of possible evidence or relevant documentation by the police, as would normally be the case in such a matter. You have, several times in your answers, referred to the OPP investigation, but as you know, while the OPP have jurisdiction at Bluewater, the London police would normally undertake an investigation at EMDC, which is in their jurisdiction.

Are we to believe that neither the OPP nor the London police, who you told us were in charge of this case, took any actions to secure documents in this very serious case and that it may be possible that relevant records may no longer be available for those investigating this incident?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): I wouldn't want to speculate on that. I certainly hope that is not the case. I have some indication that was given to me in a note just now that the people mentioned by the member are, as I mentioned earlier, part of the interministerial investigative unit and that no shredding occurred, that they were photocopying.

Mrs Boyd: That's very interesting, because if you look carefully at the individuals, they are members of the management at EMDC. Does that mean the minister is telling us that the management at that institution, who have been accused of abusing these prisoners, are investigating themselves? That's the implication of what you are saying, because these people, if you will recall, were the people who were actually at the location itself; the health officer, for example, and the assistant deputy superintendent of the facility. Is the minister telling us that the investigation is being carried out by the very people who may be implicated in the investigation? If so, that's enormously interesting and very serious indeed.

Hon Mr Runciman: A suggestion may be made that certainly perhaps individual members of the internal investigations unit could make a claim that they're being

slandered by some of the charges being levelled here today, and certainly very serious suggestions about the integrity of the internal investigations unit. I have indicated as clearly as I can that we'll pursue the concerns she has raised. We're certainly addressing very actively the concerns raised by the child advocate. It's unfortunate that the questioning is proceeding in this kind of direction.

TRUCKING SAFETY

Mr Steve Gilchrist (Scarborough East): My question is for the Minister of Transportation. For the 25 years prior to being elected to this House, I had the opportunity to work in the automotive service business, working on cars and trucks, and in both categories thousands of vehicles came through our shop.

The residents of Scarborough East were very pleased to hear that you're going to act on the recommendations of the coroner's inquest into the Angela Worona death on Highway 401 and you're moving to raise fines for truck safety violations. While it's reassuring to know the penalties will no longer be just the cost of doing business but will in fact be a significant disincentive to those who want to risk others on the roads by driving defective and poorly maintained vehicles, I'm curious to know, since both the drivers and owners can be charged, could the minister inform the House exactly how it will be decided who gets charged under your new regime?

Hon Al Palladini (Minister of Transportation): I want to thank my colleague the member for Scarborough East. Both drivers and operators have a responsibility to ensure that whatever vehicle they are going to take on our provincial highways is safe. That's why enforcement officers laying those charges on the safety violations have a choice of charging either the driver or the operator, or both. Their decision is going to be based on each situation. It depends on several factors. Past enforcement experience with the driver and carrier would be one of them; the nature and severity of violation; whether the driver is also the carrier; whether the driver reports being coerced, that he's being forced by the operator to drive an unsafe vehicle. MTO acknowledges that there are differences in the respective safety responsibilities of drivers and carriers. Normal charging procedures are to request a lower fine against the driver than the carrier. Let me assure this House that this ministry is going to make sure that safety on our highways is going to be respected by the industry.

Mr Gilchrist: I thank the minister for his first response. While at some point in the future I hope we make similar moves against the owners of cars that are poorly maintained, I'm certainly glad to hear that policies are now in place for the truck operators.

Interjection.

Mr Gilchrist: Not any more.

In light of the incredible statistics we've heard over the last week alone, where up to 45% of all the trucks on the road were inspected and found to have defective equipment to a greater or lesser extent, I wonder if you could elaborate on the process by which the driver or the owner will be charged.

Hon Mr Palladini: In the case of unsafe vehicle violation, who gets charged often depends on who conducted the pre-trip inspection on the truck — the tractor and the trailer. If the pre-trip inspection was conducted and signed off by the carrier would also be something we would take into consideration, the mechanic or whatever company represented him. Where safety defects were found, charges would normally be laid against the carrier, not the driver. In the case where the driver conducted the pre-trip inspection and defects were found, both driver and carrier are going to be charged. In accident situations, where vehicle conditions or driver hours of work are found to be excessive, both driver and carrier will tend to be charged.

Interjections.

Hon Mr Palladini: The members across the way don't want to know how we enforce safety on our highways. I can just say that we are going to do the job that needs to get done, contrary to the previous two governments. So I would just like to tell my colleague that this government is committed to making sure that we carry through with safety on our highways.

1500

WORKFARE

Mr Dominic Agostino (Hamilton East): My question is to the Minister of Community and Social Services. Minister, it's widely speculated you will announce some time this week or early next week the long-awaited government workfare program. In the past, Minister, you have threatened municipal councils, you have threatened the firing of social service directors across Ontario in various municipalities, you have threatened to withhold funding from municipalities that refuse to participate in workfare. Despite your threats, municipalities like Kingston and Windsor have said they're not going to participate.

Minister, I want to ask you about the agencies that are to be involved in the program. Of course, you have said that it's going to be non-profit, private sector volunteer agencies. Can you advise the House today, if community and social service agencies, on principle or because it opposes their mission of helping the needy or for whatever reason they feel is appropriate, refuse to participate in workfare programs, can you assure the House that there will not be any retribution from your government, that there will be no penalty and that they will not be punished financially for refusing to participate?

Hon David H. Tsubouchi (Minister of Community and Social Services): I thank the member for his question, but as his wont is normally, he makes certain allegations that really aren't true.

What I would like to indicate is there's been so much enthusiasm right now for this particular program across the province that I don't think we even have to get into that. It's quite a moot question. We will have difficulty getting down to 15 communities in order for us to complete our first phase, and I don't think we even have to get into what the member has, but certainly we haven't done any of what he's said at all.

Mr Agostino: First of all, I certainly don't have to take any lessons on the accuracy of my information from a minister who was constantly rated an F this weekend across Ontario for his performance, and I won't take any lessons from you.

But, Minister, let me go back again because you failed to answer the question. If municipalities for legitimate reasons in their own mind refuse to participate, you already have told them you're going to fire their directors. You have told them you're going to withhold their funding. My question revolves around the agencies who are to have the volunteers, the day care centres, the various social service agencies, the women's shelters, agencies that are potentially going to be used for workfare placements, for volunteer work, agencies that are going to be involved. If these agencies, for whatever reason, refuse to participate, can you guarantee us today again that there will not be any retribution, there will not be any penalty, there will not be any financial withholding of funds from any agency across Ontario that refuses to take workfare placements — not the councils, not the municipalities but the agencies directly? Will you give us that guarantee in the House? It's very simple: Yes or no?

Hon Mr Tsubouchi: First of all, the particular member repeated something that I certainly didn't say. Secondly, the member is getting into some very strange questions, as normal, but we have a lot of indications of interest from a lot of non-profit organizations already. Unfortunately, his question's a little nonsensical, so that's why I'm not going to really get too much into the nuts and bolts.

Mr James J. Bradley (St Catharines): Answer the question.

Hon Mr Tsubouchi: The answer is, we have a lot of organizations that are interested already. It's a moot point. I know that the member is trying to be critical about our particular program, so I think we should just share with you something the honourable member has stated before, on April 18, 1994. He was speaking about a local proposal which is similar to workfare.

He said, "One of the things I like about it is often you hear people saying that people who receive welfare should be made to work for their assistance. Well, here we have a program that does just that; the recipient picks up the job experience and knowledge and the senior or the disabled receives a benefit as well."

He said it better on May 20, 1994, again in the Hamilton Spectator, where he indicated welfare recipients work for the city or the region for 16 weeks. Mr Agostino said, "They pick up on-the-job skills and much-needed work experience which they can use on a résumé."

Clearly this member supports workfare; unfortunately, he doesn't know what kind of questions to ask.

Mr Agostino: On a point of personal privilege, Mr Speaker: The minister deliberately misinterpreted the comments and misled this House —

The Speaker (Hon Allan K. McLean): Order. Take your seat.

Now, would the member please withdraw.

Mr Agostino: Speaker, I will ask you to also ask the minister —

The Speaker: Order. Just withdraw the word "mislead."

Mr Agostino: Speaker, I ask you to rule. I asked you on a point of personal privilege —

The Speaker: Order. The word you used in the House which is unparliamentary, will you withdraw it?

Mr Agostino: What would you like me to withdraw?

The Speaker: Will you withdraw the word or not?

Mr Agostino: Which —

The Speaker: I'm asking the member, will he withdraw? I won't warn him again. Are you going to withdraw?

Mr Agostino: Which one, Mr Speaker? I also ask you to review the comments of the minister.

YOUNG OFFENDERS

Mrs Marion Boyd (London Centre): My question is to the Solicitor General. Solicitor General, you've made a comment in this House about people who work at the Elgin-Middlesex Detention Centre being members of your internal ministry investigation, and that's a rather serious issue of conflict of interest, given the allegations that have surfaced.

Minister, would you tell us who is on that internal investigation committee, what their positions are, and will you guarantee us that no one will be investigating this incident who might in any way be implicated as a result of the findings of that investigation?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): I don't see any problem with providing the members of the opposition with the list. If there is, I will quickly respond to it, but from a personal perspective I don't see any reason we should not be prepared to provide members of the assembly, if indeed they're interested in the names, with that kind of list.

Mrs Boyd: I'm completely amazed that the minister can't simply tell us. Does he not have that information? He was busy telling us that these people were part of the investigation team, and yet he doesn't seem to know who else is on the investigation team.

There's been incident after incident of incompetence in this whole sad, long story. First of all, you're not told, even though parents apparently called your office. You said you'd look into that. We had a letter released last Friday that on April 11 staff within your own ministry informed their superintendent about their concerns around this and nothing happened, the police weren't called.

Ms Frances Lankin (Beaches-Woodbine): And he's on that investigation team.

Mrs Boyd: And he apparently is on that investigation team, the person who received that complaint.

What we are seeing is just a multiplication of errors in this case and a real lack of confidence that you take seriously the fact that young people under your care as Minister of Correctional Services are alleging that very serious offences were committed against them. Frankly, you seem to be taking this extraordinarily casually. You do not seem to understand the seriousness of a three-month delay in dealing with this and dealing with the safety of those young offenders in that facility. It is very, very hard for the rest of us to understand why you do not

have at your fingertips information on an issue that has been raised now for almost a week and clearly is being taken very seriously.

Minister, I ask you again, why is it that you don't have this information available and why is it that you are not taking more vigorous action to protect the charges you have under the Young Offenders Act?

Hon Mr Runciman: Again, it's regrettable, the kind of rhetoric we're hearing from this member with respect to the way the ministry has responded and the way I feel about these kinds of allegations. I've said from the outset that indeed I believe them and take them to be very serious indeed, and I have certainly asked for them to be treated that way by officials within my ministry.

I would suggest to the honourable member that she take the time to sit down and speak with the child advocate with respect to her experiences throughout this process. The member has indicated that these have been buried under a bush somewhere for the past number of months, but in fact the child advocate is very strongly supportive of the process.

I've clearly indicated that there was a breakdown in terms of the communication system with respect to the minister's office. There's no denial of that, and we're going to move to make sure that doesn't happen in the future. But to suggest it has any implications beyond that is shabby at best.

CARDIAC CARE

Mr John R. Baird (Nepean): My question is to the Minister of Health. The minister will be very aware of the great work done at the Ottawa Heart Institute at Civic Hospital in Ottawa. The minister will also be aware that last year Civic Hospital ran a large surplus, well into the millions of dollars.

There's a concern among many in our community that the annual allotment from the Ministry of Health, which is over \$200 million, is not being targeted towards cardiac care in Ottawa-Carleton. Until 1989, the institute received its own line funding which saw the public funds targeted directly towards cardiac care. Earlier this year you made a health care reinvestment in the Ontario cardiac care network, and this saw the long waiting list begin to fall.

Could the minister tell the House what his ministry and he as minister are doing to ensure that these publicly available funds are being targeted towards cardiac care in Ottawa-Carleton?

Hon Jim Wilson (Minister of Health): I thank my colleague for his very good question. Members will recall that last September, when Dr Keon brought the issue of excessive waiting lists in the Ottawa-Carleton region to my attention, to the government's attention, we encouraged the Ottawa Civic Hospital at that time to do about 150 additional surgeries. That was followed by an announcement in December of 16 million new dollars put into cardiac services in the province to increase the capacity of surgeries by 19%, or 1,435 surgeries.

The honourable member from Nepean, though, did bring this matter to my attention about three weeks ago

when we found out that Civic Hospital, in spite of sitting on a \$17-million operating surplus account, which should be spent on patients and not sitting in a bank account — \$17 million — the honourable member brought it to my attention that only 38 of those 150 surgeries that we had requested be done to decrease the waiting list in Ottawa-Carleton had in fact been done.

I'm pleased to report to the honourable members that since then, though, the hospital has agreed to spend some of that \$17 million it has, which is taxpayers' money, on patients. I'm told they will fully live up to their commitment to fund the 150 surgeries and the extra surgeries we're making possible through our new funding, and we should see a dramatic shortening of the waiting list in Ottawa-Carleton and across the province.

NOTICE OF DISSATISFACTION

Mr Dominic Agostino (Hamilton East): Mr Speaker, pursuant to standing order 34(a), I wish to advise you of my dissatisfaction with the response of the Minister of Community and Social Services to my question on workfare.

MEMBER FOR OTTAWA EAST

Hon Norman W. Sterling (Minister of Consumer and Commercial Relations): On a point of personal privilege, Mr Speaker: I would like to congratulate the member for Ottawa East on a very memorable event in his lifetime. The member for Ottawa East has been playing golf for some 50-odd years; he plays three times every weekend. Despite that number of rounds, he had his first hole in one this weekend, on a 173-yard hole, with a great Big Bertha.

EMPLOYMENT STANDARDS IMPROVEMENT ACT, 1996

LOI DE 1996 SUR L'AMÉLIORATION DES NORMES D'EMPLOI

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): Mr Speaker, I think you will find that there is unanimous consent to deem debate on the motion for second reading of Bill 49, An Act to amend the Employment Standards Act, to be concluded, to deem that a division has been requested and the vote will take place immediately, with a five-minute bell. Therefore I ask you, Mr Speaker, for that consent.

The Speaker (Hon Allan K. McLean): Do we have unanimous consent? Agreed. Call in the members. It'll be a five-minute bell.

The division bells rang from 1515 to 1520.

The Speaker: Would members take their seats, please.

All those in favour of the bill standing in the name of Mrs Witmer will please rise one at a time.

Ayes

Arnott, Ted	Grimmett, Bill	Pettit, Trevor
Baird, John R.	Guzzo, Garry J.	Preston, Peter
Barrett, Toby	Hardeman, Ernie	Rollins, E.J. Douglas
Bassett, Isabel	Harnick, Charles	Ross, Lillian

Beaubien, Marcel	Hastings, John	Sampson, Rob
Boushy, Dave	Hodgson, Chris	Saunderson, William
Brown, Jim	Hudak, Tim	Shea, Derwyn
Carr, Gary	Jackson, Cameron	Sheehan, Frank
Carroll, Jack	Johns, Helen	Snobelen, John
Chudleigh, Ted	Johnson, David	Spina, Joseph
Clement, Tony	Johnson, Ron	Sterling, Norman W.
Cunningham, Dianne	Jordan, Leo	Stewart, R. Gary
Danford, Harry	Kells, Morley	Tilson, David
DeFaria, Carl	Klees, Frank	Tsubouchi, David H.
Doyle, Ed	Martiniuk, Gerry	Turnbull, David
Ecker, Janet	Munro, Julia	Vankoughnet, Bill
Elliott, Brenda	Mushinski, Marilyn	Wilson, Jim
Eves, Ernie L.	Newman, Dan	Witmer, Elizabeth
Fisher, Barbara	O'Toole, John	Wood, Bob
Ford, Douglas B.	Ouellette, Jerry J.	Young, Terence H.
Galt, Doug	Palladini, Al	
Gilchrist, Steve	Parker, John L.	

The Speaker: All those opposed will please rise.

Nays

Agostino, Dominic	Crozier, Bruce	Martin, Tony
Bartolucci, Rick	Duncan, Dwight	McGuinty, Dalton
Bisson, Gilles	Gerretsen, John	McLeod, Lyn
Boyd, Marion	Grandmaitre, Bernard	Miclash, Frank
Bradley, James J.	Gravelle, Michael	Morin, Gilles E.
Brown, Michael A.	Hampton, Howard	Pouliot, Gilles
Caplan, Elinor	Hoy, Pat	Pupatello, Sandra
Christopherson, David	Kennedy, Gerard	Ramsay, David
Churley, Marilyn	Kormos, Peter	Ruprecht, Tony
Cleary, John C.	Kwinter, Monte	Silipo, Tony
Conway, Sean G.	Lankin, Frances	Wildman, Bud
Cooke, David S.	Marchese, Rosario	Wood, Len
Cordiano, Joseph	Martel, Shelley	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 64; the nays are 38.

The Speaker: I declare the motion carried.

Shall the bill be ordered for third reading?

Hon Elizabeth Witmer (Minister of Labour): The bill will go to the resources committee.

The Speaker: To the resources development committee.

PETITIONS

NORTH YORK BRANSON HOSPITAL

Mr Monte Kwinter (Wilson Heights): I have a petition to the Legislative Assembly of Ontario.

"Whereas the final report of the Metropolitan Toronto District Health Council hospital restructuring committee has recommended that North York Branson Hospital merge with York-Finch hospital; and

"Whereas this recommendation will remove emergency and inpatient services currently provided by North York Branson Hospital, which will seriously jeopardize medical care and the quality of health for the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening medical conditions;

"We petition the Legislative Assembly of Ontario to reject the recommendation contained within the final report of the Metropolitan Toronto District Health Council hospital restructuring committee as it pertains to North York Branson Hospital, so that it retains, at minimum, emergency and inpatient services."

I have affixed my signature.

ECONOMIC POLICY

Mr Rosario Marchese (Fort York): This is one of the petitions that comes from the Metropolitan Toronto Housing company and it reads:

"To the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Do not make government cuts to housing, particularly those to the Metro Toronto Housing company. They place too much burden on those who can least afford them. We urge the Legislative Assembly to restore access to medical treatment by abolishing user fees, and to maintain current levels of funding to our programs and social services. Respect our seniors, families, singles and children."

I attach my signature to this.

BICYCLING SAFETY

Mr Dave Boushy (Sarnia): Whereas Jeffrey Theriault, a grade 6 student from Sarnia, has demonstrated such an interest and awareness of how our provincial government works that he has collected 1,275 signatures for a petition, I am proud to read this into the record as Jeffrey and his mother look on from the members' gallery. The petition reads:

"To the Legislative Assembly of Ontario:

"We, the undersigned, wish to see a change in Ontario's new bicycle helmet law to include adults as well. Adults can be just as seriously injured as children can. If they get hurt, or worse, who will care for the children?"

I'll be glad to affix my signature to the petition.

DELLCREST CHILDREN'S CENTRE

Mr Tony Ruprecht (Parkdale): "Whereas the Dellcrest Children's Centre is planning to open a 10-bed open custody residence for troubled children in south Parkdale; and

"Whereas the residence is an inappropriate site for the rehabilitation of troubled children because it is within walking distance to illicit drug and prostitution activities, a large number of unsupervised and supervised rooming houses that are homes to ex-psychiatric patients, parolees and our society's most vulnerable and ostracized members, and a number of licensed establishments that have been charged with various liquor infractions; and

"Whereas the Ministry of Correctional Services and the Dellcrest Children's Centre have decided not to hold open discussions with our community prior to the purchase of this house for the purpose of an open custody residence; and

"Whereas the decision to relocate also expresses a total lack of regard towards our community's consistent and

well-documented wishes for the Ontario government to stop the creation or relocation of additional social service programs or offices in an area that is already oversaturated with health and social services for disadvantaged, troubled or disenfranchised persons;

"We therefore, the undersigned local residents, urge the Ministry of the Solicitor General and Correctional Services to suspend all plans to relocate the open custody residence for troubled children until a full review of the Dellcrest Children's Centre's decision can be conducted and explore with us alternative locations which are more appropriate."

I have affixed my signature.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton Centre): I have a petition signed by thousands of Ontario workers angry over this government's continuing attack on their workplace health and safety rights.

"To the Legislative Assembly of Ontario:

"Whereas it is vital that occupational health and safety services provided to workers be conducted by organizations in which workers have faith; and

"Whereas the Workers' Health and Safety Centre and the occupational health clinics for Ontario workers have provided such services on behalf of workers for many years; and

"Whereas the centre and clinics have made a significant contribution to improvements in workplace health and safety and the reduction of injuries, illnesses and death caused by work;

"We, the undersigned, petition the Legislative Assembly of Ontario to oppose any attempt to erode the structure, services or funding of the Workers' Health and Safety Centre and the occupational health clinics for Ontario workers;

"Further, we, the undersigned, demand that education and training of Ontario workers continue in its present form through the Workers' Health and Safety Centre and that professional and that technical expertise and advice continue to be provided through the occupational health clinics for Ontario workers."

I affix my signature also.

DRIVER EXAMINATIONS

Mr Bill Grimmett (Muskoka-Georgian Bay): I have a petition here signed by approximately 4,900 residents in the area of Midland in my riding. These petitions concern the decision around the driver examination centre in Midland, and I'm presenting them today.

1530

MANDATORY INQUESTS

Mr Rick Bartolucci (Sudbury): This petition is to the honourable Solicitor General and the Legislative Assembly of Ontario.

"Whereas the Progressive Conservative government of Ontario has decided to scrap mandatory inquests as a result of fatalities in the mining and construction industry; and

"Whereas this unprecedented and callous decision sets workplace safety back 20 years;

"We, the undersigned, request that Solicitor General Bob Runciman, on behalf of all workers in the mining and construction industry, reverse his decision to remove mandatory inquests from the Coroners Act of Ontario."

Because this is of such importance, I sign my name to it.

RENT REGULATION

Ms Shelley Martel (Sudbury East): I have a petition signed by 61 residents of the riding of Sudbury East. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Mike Harris's Conservative government of Ontario is planning to destroy the present system of rent control;

"Whereas Mike Harris and the Conservative Party made no mention of scrapping rent control during the election campaign of 1995 or in the Common Sense Revolution;

"Whereas a number of Conservative candidates in ridings with high tenant populations campaigned during the 1995 election on a platform of protecting the current rent control system;

"Whereas the government has consulted with special-interest groups representing landlords and developers while cutting funding to organizations representing the 3.5 million tenants in Ontario; and

"Whereas, although all renters will suffer, seniors and others on fixed incomes will suffer particular hardship if rent controls are abolished;

"Therefore we, the undersigned, call upon the Legislature of Ontario to stop the attack on the 3.5 million tenants of this province."

I have affixed my signature to it, and I agree entirely with the petitioners.

TRANSITION HOUSE

Mr Pat Hoy (Essex-Kent): "To the Legislative Assembly of Ontario:

"Whereas Transition House in Chatham has provided emergency shelter to troubled or abused youth as well as support, counselling and life skills training since 1990, and, operating on a five-year budget of \$865,000, they have counselled over 400 youth and served over 20,000 meals; and

"Whereas the city of Chatham and the county of Kent rely on Transition House to meet the needs of its troubled youth and there is no other facility to serve the needs of the community; and

"Whereas it has been shown that massive cuts to health services, school systems and social services have a definite impact on the statistics of children and youth in crisis; and

"Whereas the government of Ontario has cut its direct funding to Transition House by almost \$48,000 annually and places the existence of Transition House in jeopardy;

"Be it therefore resolved that we, the undersigned, urge the government of Ontario to reverse its decision to cut the funding of Transition House in Chatham and Kent."

I sign my name to this.

TVONTARIO

Mr Michael A. Brown (Algoma-Manitoulin): "To the Legislative Assembly of Ontario:

"Whereas TVOntario has been providing Ontarians of all ages with high-quality educational programs and services delivered through television and other media for 25 years;

"Whereas TVOntario provides universal access to educational broadcasting in the most effective way possible;

"Whereas TVOntario provides essential broadcast services to communities in northern Ontario;

"Whereas TVOntario has an extensive, community-based advisory network spanning the province;

"Whereas TVOntario is committed to increasing net self-generated revenues by 15% every year;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To formally commit to the province's continued support of TVOntario as a publicly owned educational network."

This is signed by hundreds of my constituents, and I have affixed my signature.

VIDEO LOTTERY TERMINALS

Mr James J. Bradley (St Catharines): I have a petition signed by a number of Ontario residents that reads as follows:

"Since video lottery terminals will contribute to gambling addiction in Ontario and the resulting breakup of families, spousal and child abuse and crimes such as embezzlement and robbery;

"Since the introduction of video lottery terminals across Ontario will provide those addicted to gambling with widespread temptation and will attract young people to a vice which will adversely affect their lives for many years to come;

"Since the introduction of these gambling machines across our province is designed to gain revenue for the government at the expense of the poor, the vulnerable and the desperate in order that the government can cut incomes taxes, to the greatest benefit of those with the highest income;

"Since the placement of video lottery terminals in bars in Ontario and in permanent casinos in various locations across the province represents an escalation of gambling opportunities; and

"Since Premier Harris and Finance Minister Eves were so critical of the provincial government becoming involved in further gambling ventures and making the government more dependent on gambling revenues to maintain government operations;

"We, the undersigned, call upon Premier Harris and the government of Ontario to reconsider its decision to introduce the most insidious form of gambling, video lottery terminals, to restaurants and bars in the province."

I affix my signature to this petition as I'm in agreement with its contents.

BEAR HUNTING

Mr David Christopherson (Hamilton Centre): I have a petition to the Legislative Assembly of Ontario.

"Whereas bears are hunted in the spring after they have come out of hibernation; and

"Whereas about 30% of bears killed in the spring are female, some with cubs; and

"Whereas over 70% of the orphaned cubs do not survive the first year; and

"Whereas 95.3% of bears killed by non-resident hunters and 54% killed by resident hunters are killed over bait; and

"Whereas Ontario still allows the limited use of dogs in bear hunting; and

"Whereas bears are the only large mammals hunted in the spring; and

"Whereas bears are the only mammals that are hunted over bait; and

"Whereas there are only six states in the United States which still allow a spring hunt;

"We, the undersigned, petition the Parliament of Ontario to amend the Game and Fish Act to prohibit the hunting of bears in the spring and to prohibit the use of baiting and dogs in all bear-hunting activities."

GASOLINE PRICES

Mr John C. Cleary (Cornwall): "Whereas since March 1996, gasoline prices have increased on average a dramatic 10 cents a litre, which is over 45 cents a gallon; and

"Whereas this increase in the price of gasoline has outpaced the rate of inflation by a rate that is totally unacceptable to all consumers in this province because it is unfair and directly affects their ability to purchase other consumer goods; and

"Whereas Premier Mike Harris and Consumer and Commercial Relations Minister Norm Sterling, while in opposition, expressed grave concern for gas price gouging and asked the government of the day to take action;

"We, the undersigned, petition Mike Harris and the government of Ontario to eliminate gas price fixing and prevent the oil companies from gouging the public on an essential and vital product."

COLLEGE OF TEACHERS

Mr Pat Hoy (Essex-Kent): "Whereas the public secondary teachers of Ontario have taken a workplace democracy vote in accordance with Bill 7 and have rejected the proposed College of Teachers by a 94.8% vote;

"We, the undersigned, urge the provincial assembly to instruct the government to withdraw Bill 31, the Ontario College of Teachers Act, 1995."

I place my name to it.

LIQUOR CONTROL BOARD OF ONTARIO

Mr James J. Bradley (St Catharines): I have a petition that reads as follows:

"Whereas the government of Ontario appears to be moving towards the privatization of retail liquor and spirits sales in the province; and

"Whereas the LCBO provides a safe, secure and controlled way of retailing alcoholic beverages; and

"Whereas the LCBO provides the best method of restricting the sale of liquor to minors in Ontario; and

"Whereas the LCBO has an excellent program of quality control of the products sold in its stores; and

"Whereas the LCBO provides a wide selection of product to its customers in modern, convenient stores; and

"Whereas the LCBO has moved forward with the times, sensitive to the needs of its customers and its clients; and

"Whereas the LCBO is an important instrument for the promotion and sale of Ontario wine and thereby contributes immensely to the grape-growing and wine-producing industry;

"Therefore, be it resolved that the government of Ontario abandon its plan to turn over the sale of liquor and spirits to private liquor stores and retain the LCBO for this purpose."

I affix my signature to this petition as I'm in complete agreement with its contents.

1540

ORDERS OF THE DAY

MINISTRY OF AGRICULTURE, FOOD AND RURAL AFFAIRS STATUTE LAW AMENDMENT ACT, 1996 LOI DE 1996 MODIFIANT DES LOIS EN CE QUI CONCERNE LE MINISTÈRE DE L'AGRICULTURE, DE L'ALIMENTATION ET DES AFFAIRES RURALES

Mr Danford, on behalf of Mr Villeneuve, moved second reading of the following bill:

Bill 46, An Act to amend or revoke various statutes administered by or affecting the Ministry of Agriculture, Food and Rural Affairs and to enact other statutes administered by the ministry / Projet de loi 46, Loi modifiant ou abrogeant diverses lois appliquées par le ministère de l'Agriculture, de l'Alimentation et des Affaires rurales, ou qui touchent ce ministère, et visant à édicter d'autres lois appliquées par le ministère.

Mr Harry Danford (Hastings-Peterborough): I'm very pleased today to move second reading of the Ontario agrifood and rural business bill.

The agrifood and rural business bill lays the groundwork for future growth in Ontario's farming, food and rural sectors. The Ontario agrifood and rural business bill accomplishes two key things:

First, it recognizes the major contribution the agricultural and food industry and rural communities make to the economic growth and wellbeing of the province as a whole.

Second, the bill permits the Ministry of Agriculture, Food and Rural Affairs to move ahead on implementing its business plan.

OMAFRA's business plan is built around four key principles: increased self-reliance for clients, more efficient administration, reduced regulatory control and effective customer service.

I should also point out that the plan was not created in isolation. Instead, it reflects the collective thinking of our clients, the men and women of the agrifood industry and the residents of rural Ontario.

Through last fall and winter, we held table talks and other informal consultations with clients across the province to determine the kinds of support they believe government should be providing as they head into the next century. What we heard has been incorporated in OMAFRA's business plan.

In consultation with our stakeholders, the ministry has redefined its core businesses, and they are: research and technology transfer, investment attraction, market development and rural economic development.

I can assure the members that our business plan is not going to sit on the shelf gathering dust. We are acting on it right away. In fact the budget recently tabled by my colleague the honourable Minister of Finance supports the agrifood and rural sectors in a number of ways, just two of which are:

(1) Up to \$20 million has been set aside to provide a rebate of the 8% retail sales tax paid on building materials purchased by commercial farmers to upgrade or modernize their farm operation and keep us competitive;

(2) The \$15 million Grow Ontario investment program, which will strengthen the capacity of small and medium-sized farms and food sector groups in rural communities to compete again in the global marketplace.

Both stem from our business plan and are designed to boost growth, increase investment and reduce barriers to agribusiness in Ontario. By investing in this sector, we are helping Ontarians involved in agriculture and food to prosper here at home and be more competitive in the global marketplace.

The Ontario agrifood and rural business plan includes the legislative changes necessary to put our business plan into action. Our ultimate objective is not only to maintain our strong agricultural base but also to help Ontario's agrifood industry move in bold new directions. With this bill and the business plan it supports, today's agrifood and rural vision can become tomorrow's reality.

Working with the parliamentary assistant for rural affairs, the member for Lambton, and the Red Tape Review Commission, one of our important goals is to reduce the red tape and overregulation that are choking innovation and putting a damper on the emergence and development of new approaches to doing business. The idea is to treat Ontario's agriculture and food sector as a priority business.

The bill does not jeopardize the programs or service delivery now available to the sector. Instead, it reduces regulatory barriers and red tape. Several items of legislation were found to be decades old and in need of updating or elimination.

For instance, we are repealing the Oleomargarine Act, the law that regulated the colour of margarine, an act which has not been enforced for several years. We're also

repealing the Junior Farmer Establishment Act. This act has not given out a single new mortgage since 1967.

Furthermore, after consulting with the dairy farmers of Ontario and the Ontario Dairy Council, we are amending the Milk Act to ensure that regulations made by the Farm Products Marketing Commission are under the sole authority of the commission, and we're strengthening the authority for Ontario to enter into national pooling arrangements and accommodating the creation of national promotion and research agencies.

I certainly don't have to tell you that our stakeholders are firmly behind these amendments. Just like NDP Saskatchewan and Liberal New Brunswick, the Ontario agrifood and rural business bill moves Ontario's Ministry of Agriculture, Food and Rural Affairs out of the direct delivery of some services that can be better carried out by others. For example, it provides for the establishment of a crown agency, to be known as AgriCorp, that will deliver crop insurance, market revenue programs and other related farm programs to producers. Not only will AgriCorp help cut government costs while maintaining existing programs, but it gives the people who depend on these programs more control over how they are administered, and it should be noted that AgriCorp has been endorsed in the past in this House by both parties opposite.

The bill also provides for the alternative delivery of research, education and laboratory programs. During our stakeholder consultations, people said that research and education were of paramount importance to the long-term competitiveness and viability of Ontario's agrifood sector. We agree, and we want to ensure that the sector continues to benefit from a comprehensive approach to research and education. We also want to get the maximum value from every dollar spent in this critical area. To this end, I am very pleased to say that we have signed a memorandum of understanding with the University of Guelph which provides a framework for an enhanced partnership for research, education and laboratory services in Ontario. This partnership would include the university and all existing labs and colleges and would protect Ontario's position as a global leader in agrifood research and education.

During the business plan process, the ministry also reviewed all of its agricultural and food legislation and regulations. Our aim is to reduce barriers to business and encourage more industry self-reliance. Several pieces of legislation are decades old and need to be updated or eliminated. Based on this, the bill amends several acts and repeals others. On the whole, OMAFRA's business plan is thorough and fair, and it shows that we have kept our commitment to rural Ontario, our commitment to see that agriculture receives its fair share of government support and our commitment of doing better for less.

As I previously stated, the new Grow Ontario program and the retail sales tax exemption are excellent examples of this government's investment in rural Ontario. Most important, the bill reflects our commitment to an industry that pumps billions of dollars into this province's economy each year and provides jobs for hundreds of thousands of Ontarians. The Ontario agrifood and rural

business bill supports the ministry's long-term plans, and the agricultural community supports the Ontario agrifood and rural business bill.

The Christian Farmers Federation of Ontario has stated: "This legislative change creates opportunities for farm community."

It should also be noted that the Ontario Federation of Agriculture president, Tony Morris, had some concerns about the implementation of this bill. Let me quote from a letter dated June 4, 1996:

"As you know, on behalf of the federation, I have publicly endorsed the overall principles underlying this legislation, but as you will remember I did so conditionally on the basis that farmers would have significant input into the way AgriCorp was to be funded, administered and governed.

"I and other farm leaders were becoming increasingly anxious that the consultative phase of implementation was going to be overlooked."

I want to assure you that we have had an opportunity to clear up this matter. The OFA has now written to the minister stating that it expects significant progress shortly on the outstanding technical issues regarding the implementation of Bill 46.

It is with the support of the agricultural community that this bill and the minister's business plan prepare OMAFRA for the challenges that we feel lie ahead, because when rural Ontario prospers all of Ontario benefits.

1550

The Acting Speaker (Ms Marilyn Churley): Questions or comments?

Mr Howard Hampton (Rainy River): I'm a bit surprised. The fact of the matter is that this bill involves much more than housekeeping. This bill involves a fundamental restructuring of the Ministry of Agriculture and it involves a fundamental change in the way services are provided in some cases to farmers or in the services that are not provided to farmers and rural residents across this province.

The reality is that residents of rural Ontario are facing some real pressures. Their school boards' funding is being cut. We have government MPPs lobbying the Minister of Education and Training for special deals for their rural school boards. Rural hospitals and rural health care are under increasing pressure, and it's very likely that some of those rural hospitals and rural health care facilities will be closed down. Rural highways are in desperate shape. I would challenge the government member to go out there and travel over some of those roads. Rural municipalities are in desperate shape, having had their budgets cut in one form or another, knowing that their budgets will be cut even further over the next two years.

There is incredible pressure on people in rural Ontario from all sorts of directions, yet the government member has nothing to say about that. I would have thought that in introducing this legislation and all that goes with it and all that is happening out there in rural Ontario and all the things that are affecting residents of rural Ontario, the government member —

The Acting Speaker: The member's time is up. Further questions or comments? Seeing none, the member for Hastings-Peterborough has two minutes to respond.

Mr Danford: I'm very pleased to respond to the comments the member opposite has made. He spoke of two or three particular points. He spoke about the extra funding that he says has been cut and is not there to support some of the issues he mentioned. He mentioned health care. I find it rather strange that he would bring up health care, because if you refer to the budget you'll well realize that there is an extra amount of money placed in this budget this year that exceeds the guaranteed figure we had said we would put there — over \$17 billion. You should refer to those figures and realize that the extra funding is there to be put into the health care system.

Also to the MTO; he made a comment about the quality of the roads. We recognize the quality of the roads. We recognize the deterioration of the roads that has happened over the last number of years. I'm surprised that member would also bring up that point, because if you look in the budget you will see an extra \$60 million this year to bring the roads back up to an acceptable standard. Ontario needs good transportation corridors to bring our economy back to a prosperous level so that this province can be put back on track and deal with those issues.

I am really surprised that the member would bring up those issues because they're totally addressed in the budget. That alone should answer his questions without my having to stand up here and reply to them. Those are my responses.

The Acting Speaker: Further debate?

Mr Pat Hoy (Essex-Kent): Speaker, I would ask if I could have unanimous consent to share the time with the member for Cornwall.

The Acting Speaker: Is there consent? Agreed.

Mr Hoy: I'm pleased to have the opportunity to speak to Bill 46 today. As everyone here would know, this is the first agricultural bill this government has introduced as a standalone bill. By that, I'm referring to the fact that in the labour bill, Bill 7, there was agriculturally related legislation passed, and that was the repealing of the old Bill 91. But this is the first agricultural bill this government has brought forward since its election just a little over a year ago now.

This legislation repeals eight acts, amends six others, creates AgriCorp and the Agriculture and Food Institute, and has dealings with the old Crop Insurance Act (Ontario). The bill is very large. It has a great effect on a number of other pieces of legislation.

For example, the government wants to repeal the Fur Farms Act. Jurisdiction in this area would fall under a new Game and Fish Act, and that could have an effect on people who are in alternative farming, such as emu, ostrich, perhaps exotic fish. We have to be careful about even the so-called minor parts of the act, that we're not infringing in areas that will stifle farmers as they seek new ways of acquiring income by the use of alternative farming methods. Even though one might admit that some of these acts are dated, there are relationships to the present and perhaps even to the very far future.

The timing and introduction of this bill is very interesting indeed. As you know, the government's been working at breakneck speed in all areas. They started even before we sat in this Legislature to cut, downsize, lay plans for their future agenda items.

I find very interesting that this bill is introduced at this particular time. This happens to be the season when most farmers are out trying to plant their crops. As I discussed with other agricultural groups their opinion of this bill, they said, "Pat, it couldn't have been worse timing." The only time it might have been worse was if they were harvesting. Of course, I would admit that in some agriculture-related industries, from spring to fall they are constantly working — there is no lull period — such as the fruit and vegetable industry. It's interesting that the minister would wait until the farmers were the most busy to introduce this bill.

The backdrop to this bill, though, is that the government has been very busy, having slashed \$82 million from the agriculture budget. They could find time for that in the cold winter months, the lateness of last year, but when they really want to have the farmers be involved in an agriculture-oriented bill, they introduce it in June. Even in my area, which is one of the quickest to plant their crops, they're still behind because of rains and the cold weather we've experienced this spring.

We know that they cut \$82 million from the agriculture budget and we know that agriculture receives a very small portion of the total Ontario budget. It receives less than half of 1% of all government spending; it's one of the smaller fractions you will ever use in describing spending in this House. However, agriculture and the food industry contribute greatly to the economy: 5.8% of Ontario's gross domestic product comes from agricultural food industries. Agriculture is second only to the automotive trade in Ontario in terms of economics.

1600

We are the largest agricultural producing province, and 30% of the economic activity in the counties of Essex and Kent is generated through agriculture. Agriculture and food and the beverage industry have annual sales of \$40 billion. The agriculture and food industry provides 640,000 jobs and will be the engine of growth into the next century and beyond.

Clearly Ontario is seeking out, and any government should be seeking out, any area of our economy that will provide jobs for our youth, and for our adults at this time, as unemployment is extremely high. The farm cash receipts in Ontario totalled \$6.2 billion in the census year 1994. All this is proof that agriculture is vital to Ontario. The security of foodservice is also vital to Ontario and the country.

Agriculture helps to weave the rural lifestyle that many of us enjoy throughout this great province. History has shown us the difficult times that countries have when they can neither produce their food nor buy it, and the despair those people have without enough food, the inability to create an economic engine within their country, is apparent to all of us, so we need to maintain a vital agricultural community here in Ontario. Any legislation that affects the industry must be clearly thought out and fully discussed.

In a highly competitive world we must be certain that our actions prepare us not only for tomorrow but for the future. You only need to look back at some suggestions I made on the first minor act, as some would say, that I mentioned at the beginning of my speech. We must be prepared for the future.

The bill is being discussed at one of the busiest times in the farming community's calendar. As I talked to directors of boards they said, "We have agenda items that we would like to talk about, and in particular Bill 46, but I don't think I can get my farmers to come out of the field at that date in June and sacrifice their livelihood to discuss this bill properly and effectively." I don't think it was fair to the farmers of Ontario to introduce a bill — some have called it an omnibus bill — that affects so many pieces of legislation, and to introduce it at this time of year was in poor taste, to say the very least.

We've watched this government's approach over the many months to consultation, or lack thereof. I have to wonder if the minister specifically planned to introduce this legislation during the spring planting season. In that it is only his first bill, one might assume he could have introduced it much earlier in this session. However, we've noticed on this side of the House that consultation is not the hallmark of the Harris government.

Even when consultation does occur, people from time to time are still not certain of what the government is going to do. I want to give you an example with the Artificial Insemination of Livestock Act — some call it the AI act. The stakeholders were uncertain of the process and had a true believing that there would be a discussion paper on what would happen to the report and the conversations involved in the artificial insemination act. They believed there would be a discussion paper, but no, they found out much to their surprise that the act is going to be repealed. They weren't asked what they thought about that situation and they were quite astounded to learn that the consultation process was much shorter than they were led to believe and that the act is simply repealed. Clearly we're watching the government and being sure that any introduction of bills has full consultation, full discussion and actually makes sense.

Bill 46, in part, establishes AgriCorp as a crown corporation. The minister likes to point out on all occasions that our party also introduced AgriCorp as legislation. He's quite right; we introduced legislation that would have created an AgriCorp. However, there were some key differences to our approach.

Firstly, we wanted to help communities economically. We wanted to assist other regions of Ontario further away perhaps from what is commonly known as the Golden Horseshoe. What we were going to do was have the office of AgriCorp set up in the city of Chatham, an opportunity for new jobs. At the time Chatham was hard depressed. It was an opportunity for jobs and spinoffs and economic growth for Chatham and the county of Kent. In the main street people were more than pleased to learn that all of their stores would benefit from well-paying jobs that would be moved into Chatham. But I don't believe now that AgriCorp has a chance of being put in Chatham, and my understanding is that the new building

at Guelph won't even be filled by the government itself and may have to rent out space.

We were looking to provide jobs to regions and areas around the province. We weren't cutting jobs. Certainly we wouldn't have cut 10,600 jobs. We were trying to save jobs, create jobs and have economic viability. We were looking to assist small rural areas and small urban areas in centres like Chatham.

I often wonder what the parliamentary assistant to the minister responsible for rural affairs is doing to help rural Ontario. I often wonder what the parliamentary assistant to the Minister of Municipal Affairs is doing to help rural Ontario.

There have been a number of closings of travel centres throughout the regions of Ontario. I'll only speak to my riding of Essex-Kent and the county of Kent, but offices were closed in Ridgetown, Tilbury, and in Kent county, Wallaceburg, Dresden. Is this a way of helping rural Ontario, by closing travel points throughout the area?

Indeed, have these two parliamentary assistants, whose mandate is to help rural Ontario, gone and said to the Minister of Health that Kent county is short by 32 doctors? We have an extreme doctor shortage. Essex county, part of which is in my riding, and the city of Windsor have a shortfall of 96 family physicians. I hope they're working at that and I'd be pleased to hear when we leave the chamber if they tell me that they are. In Essex and Kent there are three communities which are designated as underserved: Blenheim, Tilbury and Wallaceburg. Blenheim has been waiting for a doctor for two years. Other areas — Thamesville, Windsor and the whole county of Essex — are looking for doctors and are applying for underserved designation.

The timing of this bill makes it difficult for the farm community to contribute to a bill that affects it so exclusively. The minister is introducing legislation on AgriCorp for the purpose of administering the Crop Insurance Act. Crop insurance is a plan that both the provincial and federal governments pay into. As well, the farmers of Ontario pay in terms of their premiums. It's an insurance plan that will make up the shortfalls in yield should the farmers of Ontario in any particular region suffer from excess rain, drought, hail or wind, to mention a few of the hazards.

1610

Crop insurance, I believe, is a beneficial program to the farmers in that it gives them stability coming off a calamity such as a tornado and allows them to go back into business the next year because they were insured against a particular yield; through a formula they were protected against a particular yield.

It's also good for the public that crop insurance is available. We have a constant source of food in Ontario. The stores are full. You rarely see the shelves empty. You might see the stores not having one particular product, but I'm sure the competitive product is there on the shelf alongside it.

Importantly enough, crop insurance is very important for the government. It keeps them out of ad hoc assistance programs. When large calamities occur through vast areas of Ontario, the minister can indeed say, "We have

a viable Crop Insurance Act in place in consultation with the federal government and this is what should be able to provide for your downfalls."

However, AgriCorp will be allowed to perform more than those duties. It will have duties conferred on it under any act of Ontario. It will have duties conferred on it under any order of the Lieutenant Governor in Council or any agreement made between the government of Ontario or any of its agencies and any one or more of the government of Canada, any of its agencies, AgriCorp or any person, so AgriCorp's activities are certainly not limited to the administration and delivery of crop insurance, or even to the delivery of GRIP or market revenue. GRIP and market revenue are, out in the farming areas, referred to as one.

In the past, discussions on AgriCorp's powers were always related to the safety net issues, those being crop insurance, market revenue or GRIP. The slashing of the ministry's budget and the reductions in staff at OMAFRA cause one to wonder if AgriCorp will indeed be involved in many more programs.

On the issue of staffing, the minister some time ago announced that there would be 954 jobs cut at OMAFRA. Almost 50% of all workers were told, "You're going to be cut." Later, these people found out that many of them will be returning to AgriCorp or to the University of Guelph. I'm pleased to know that, although I understand there could be 300 people not returning. Can you imagine the heartache these OMAFRA staff had when they were told that 50% of all staff was going to be terminated? Only those with the highest levels of seniority had any reason to feel that their job was safe.

This was no ordinary announcement, "We're going to downsize by 5%, 10%"; they were going to downsize by 50%. Those persons who went home must have felt for the next few days, "My job is indeed in jeopardy." I think it was inhumane to announce layoffs of this size only to turn around and rehire these people. This was done in the name of cutting administrative costs, and it was shameful the way that was put to these people at OMAFRA, that 50% of the jobs would be gone and then some day later on to say, "We're going to bring you back." It was an inhumane act.

The ministry estimates show a line item called "ministry administration." The Tories' often stated goal is to reduce wasteful administrative costs while protecting programs, funding and core services. This is the minister's boast: "Core services will be maintained. Program funding will be maintained."

In most ministries, the estimates show administration down slightly, except at MTO, where it's up \$842,000, and in agriculture, where administration is up \$3.9 million. While the government is slashing, the administration at OMAFRA has gone up \$3.9 million.

We are concerned with provisions under the act that allow for the collection of fees and service charges. I want to speak a little bit about fees. In a recent magazine put out by the Ontario Corn Producers' Association they say, "OMAFRA officials have indicated that the Ontario grain and oilseeds industry — that being farmers, elevator operators and dealers — will be expected to pay for more or all of the cost of the associated regulatory functions

through new and higher user fees." I reiterate, new or higher user fees. The government may argue that they're not going to do that, but we've already seen action taken: a \$25 user fee to farmers who are applying for the summer experience wage assistance program that was announced recently.

Clearly this government has an appetite for user fees. If they don't implement them themselves, they don't seem to have much to say about those that are forced to, have to. It's a user-fee agenda on the other side of the House. They only need to look at their recent announcement on summer wage employment and the \$25 fee for farmers to take up that program. Either directly or indirectly, the government promotes user fees through the municipalities, which must bring in fees to parks, libraries, transit, fire department calls. The proliferation of fees and cuts to OMAFRA cause us to be concerned about the level of fees this government would indeed introduce on the agrifood sector. User fees imposed on Ontario farmers could be very detrimental to our economic future.

Let's consider the US farm bill for a moment. Mr Harris seems to like American-style economics, but he doesn't share the American concern to protect and subsidize the farm market. In an edition of the Ontario Corn Producer, the US farm bill "is a seven-year contract with farmers over the life of the farm bill, from 52 cents a bushel in 1997 to 28 cents a bushel in the year 2002. It is paid regardless of whether the price is high or low or whether a farmer produced a lot or a little or anything at all. The system provides US producers with a markedly different situation compared to you." They're speaking about farmers. "South of the border, a producer knows today the exact level of government support payments to be received annually through the year 2002, will receive cheques every six months, will receive payouts regardless of actual production, and they do not have to wait for prices to collapse in order to receive a payout. This situation is in marked contrast to your situation north of the border."

In an article from Farm and Country magazine, it states, "The US has committed \$47 billion to farmers over the next seven years."

Here we have US competition, farmers being paid whether they grow or not, regardless of the price, whether the Chicago market says it's up or down, and let's not forget that's where the grain prices are set. Here we have the US competition for the next seven years paying out to farmers approximately every six months, even before their crop year is finished, and we're talking about user fees. Clearly, we cannot have a proliferation of user fees in Ontario when our US counterparts are receiving these greater amounts of money that seem to be triggered by no real criteria.

1620

If we look at the Agriculture and Food Institute, we see the words "fees and service charges." If we look at the provisions for the appeal board and its powers, we see the words "fees and service charges." Look at the amendments to the Farm Products Grades and Sales Act. We see, "The minister may establish and collect fees payable."

Along with these powers to set fees, the farm community has raised concerns for the future of the grain financial protection program. This program compensates farmers for losses when their stored grain is in a facility that enters into financial difficulty and oftentimes bankruptcy. The farmers can be compensated for 90% of the value of the stored crop. When that business should fail, in the end, the farmers would probably receive 90% of whatever amount of crop they had in that facility.

Money in this plan is generated by a checkoff on the producer. The farmers are self-insured. If they sell a bushel or a pound or some other metric conversion of grain and product, there is a checkoff that goes into this fund and the farmers have insured themselves against other businesses going bankrupt with their grain in the elevator. I well remember the legislation when it was brought in.

We understand that the government has an involvement in this plan as well as the dealers through license fees. Dealers contribute about \$40,000 to \$50,000 a year in fees to the plan while the government provides about \$200,000 a year for staff and inspection. One of the farm groups said if we really get into this, perhaps by the time we found out a little bit more about this staffing and buildings and so on, it could run up as high as \$300,000. The government is discussing the possibilities of withdrawing from this plan and having the farmers take over; they want someone else to pay. The farmers pool into the plan and now are asked to be part of the delivery process as well in the event that someone else goes broke. Some suggest that AgriCorp will be the agency to handle this program. So AgriCorp, we can indeed see, may be earmarked for many more things to come.

As well, the government said it would not cut programs and here we're looking at the grain financial protection program and the government is thinking of, we'll say, dumping it. The shift to user fees can be seen most dramatically when this comes about within this particular plan I'm speaking to.

If it does, as the farm organizations believe it will, the question then becomes, where do the farmers get these dollars? How do they compete if their wallet is always open to more and more user fees? The US farmer will be wondering if he needs a new money belt for the next windfall, while the Ontario farmer will be shelling out dollars for new or higher-priced user fees. We're in a global market. Think this bill through.

The competition will be fierce. This change in the grain financial protection program would be another broken promise by Premier Harris. He had fun describing his plans for agriculture during the election, stating that not a single nickel would be cut. The first thing that happened was they cut \$13 million. When he started making massive cuts, his tune changed to, "No agricultural program will be cut." Then the first thing they did was cut the fruit land preservation program early last year. So you wonder why the farm community and we on this side of the House are watching the government so very closely in regard to agriculture. Now farm groups say that the grain financial protection program will be cut.

This erodes the level of trust between the farm community when we talk about the institution of user fees or

service charges. It's the past performance of the government that has them wondering: "They said they wouldn't cut programs, and now they're talking, 'Well, maybe we'll cut one or two.' They said, 'We won't cut agriculture at all,' and then they cut it by millions." As a matter of fact, I think the agricultural cuts were a part of almost every economic statement the finance minister made, so you're eroding the level of trust.

To illustrate our concerns for the government's future directions on this bill or any part of it, let's look back to the days of OPSEU and the strike. During the strike, the government sought to have meat inspectors declared essential services. Many people were asking for you to consider that. You wanted them to be essential services, and now look what you've done — you've laid them off. You've laid the meat inspectors off. Where's the logic in this? Does this government think things through as it goes from month to month? Essential service one month; "We don't need you any more" the next.

I have great difficulty with those actions. But I'm sure the backbenchers are telling the minister of all these things before he places the bill and saying: "You know, we wanted essential services in my riding for meat inspectors. Remember that, Minister? You certainly wouldn't let them go now." The two don't correlate.

Or are all actions for the sake of the deficit and the need to cut 30% from our taxes? Is there no regard for consistency? Is there any regard for any of your actions on the people of Ontario? I've met meat packers who say they are going to have to pay more now to have their meat inspected. These are small facilities. Oftentimes they're run by families, family members. They work hard. I met one the other day. He works seven days a week, even when he's closed. He's in a rural area and people knock on his door past 9 o'clock at night and say: "Hey, would you like to open up your cooler? I'd like to buy some of your fine meats." They work hard, and now he expects to pay more for meat inspection — an essential service one day, and the next day, "We don't need so many of you."

These few examples give us cause to question the views on user fees. Your removal of outdated legislation in Bill 46 appears to cut red tape, but only masks your potential for user fees. Let me just say, when I asked the minister if he consulted with the farm community on user fees back on May 7, from Hansard, this was his answer:

"We discussed what agriculture and the people who work in the agrifood business, who produce the food, see as their ideal for the Ministry of Agriculture, Food and Rural Affairs. I can tell my honourable colleague that user fees in the likes of AgriCorp — the AgriCorp administration will be what is now known as the Crop Insurance Commission in the short term." That was his answer. There's another sentence; I'll read it if I must: "If the honourable member is unhappy with farmers looking after their business, he should put that on record, because I believe farmers can best administer what touches them."

But he did not answer the question, did you discuss user fees — as he told me he did — with the farm community? When he got to the words "user fees in the

likes of AgriCorp," he stopped and rethought again and came up with the rest of what I put into the record.

There will be user fees that will allow for appeals. Now under appeals, I know we have to have an appeal process; I know we have to deal with frivolous appeals. I've been involved in an appeal process, not as an appellant but on the other side of the table, and you need to deal with frivolous appeals. You have to give the right to appeal, and that right to appeal shouldn't be denied anyone just because of cost. I think those persons who win their appeal shouldn't be charged at all.

I want to tell you, the fees and expenses of the appeal board, as shown in the crop insurance report ending March 1995, were \$48,352. The administration costs for crop insurance was \$10.165 million to March 31, 1995. How many of these administrative dollars would the government wish to recover? How many dollars would a future minister wish to recover from the farmers of Ontario?

1630

The documents the minister would make business plans on and directives and other documents that flow back and forth between the minister and AgriCorp should be made public so that we have a full understanding of where AgriCorp will lead us as we go into the future, and hopefully there will not be a proliferation of user fees on the farmers of Ontario.

We've shown that the government has said one thing on occasions and done another somewhere else in regard to not cutting programs — in regard to meat inspectors being essential and then not so essential.

Finally, we find shades of Bill 26 in this bill. Bill 26 was an omnibus bill. Some referred to it as the bully bill. Here in Bill 46 we have AgriCorp making regulations, AgriCorp providing for the collection of levies or charges by AgriCorp, the corporation to which they are payable, and on any class of person. What does that mean? It very well could mean that we would be charging people who don't even use AgriCorp directly. The same language as Bill 26 is in this bill, charging any class of person who may not even use AgriCorp.

Charges beyond the scope of services offered could be also read into this "any class of person" section. What could that mean? That could mean that AgriCorp could be the bank, we'll say, the receiving body, the receiving crown corporation for fees for going to your ag office. It could be the receiving body for fees on the farm tax rebate administration. It could mean perhaps an administration fee on the stable funding that farmers enjoy. AgriCorp has nothing to do with these, but this section suggests that they can reach out their tentacles and take in fees on things not clearly stated in this bill. Therefore, we question the government about user fees. Why do you have this clause? What's your intention? If you don't need it, withdraw it.

The Minister of Agriculture, Food and Rural Affairs will have the power to issue directives in writing to AgriCorp. If they don't want fees at AgriCorp, the minister could give his directive. The AgriCorp directors could say: "We don't need a fee. We don't think the farmers of Ontario would be treated fairly in a global market to expand fees and bring them in on these people

in light of the US farm bill and other areas around the world." But the minister could write a directive and say, "I think you should introduce some fees." These directives are not public under the act, but certainly they should be.

AgriCorp doesn't need legislative or cabinet approval for charging user fees. We would like to know who will be the directors of AgriCorp, and I'm sure the farm community would like to know, particularly when we have this user fee aura around this government. Will they be accountants? Will they be lawyers? Will they be party faithful to those across the way? Who will be the directors of AgriCorp to protect the interests of the farmers from the directive of the minister or any future minister on user fees?

I want to move to the Agricultural Research Institute of Ontario Act. I notice that the parliamentary assistant, in his opening remarks, said they had an MOU, a memorandum of understanding, with Guelph. He didn't say they were going to withdraw this part of the bill.

We know the importance of research. Research is rated high by the farm community. Everyone recognizes the value of research and technology and education, and it applies no less to agrifood and agriculture than any other sector. We know that for every \$1 invested \$40 is returned to the province when we spend money on research.

We need to keep pace with other countries. By the way, the United States is spending this money on their producers, as I mentioned before. At the same time they are keeping their commitment to research. They are not letting one thing fall to save another. They're keeping their research dollars intact.

This act includes the ability of guiding research at the University of Guelph and other facilities. The institute will oversee the laboratories across Ontario. People have a concern that we're going to be into more user fees in this area. They will have authority in the area of education and accreditation, and could include the veterinary labs. I've heard remarks that people are fearful that new or higher user fees will be implemented here as well.

The colleges here in Ontario are world leaders in technology. This didn't happen overnight. It took hard work attracting the right people to work at these colleges and universities in Kemptville, Alfred and Ridgetown. They are efficient and economical. The tuition at these other colleges is half what it is at the University of Guelph.

Let's make sure that these colleges are maintained, that courses aren't taken away from them and brought back to the University of Guelph, and that then someday someone says, "There's only X number of students at Ridgetown; we're going to have to close it." Let's hope the transfers to Guelph are done in a way that it can remain viable without harming Kemptville, Alfred and Ridgetown.

I'm told by ministry staff with regard to the move of the 954 people to AgriCorp in Guelph that the savings will come down the road when the transfers diminish. We have to watch out for that. The University of Guelph should not be withdrawing its support from these outer regions.

The legislation permits service fees for the veterinary labs and food testing labs, and provides for the privatization of lab functions. The bill is full of the words "fees and service charges."

I want to read to you from the OCPA newsletter in regard to the colleges. They say, "Although Ontario grain and oilseed organizations wrote to the Honourable Noble Villeneuve, Ontario Minister of Agriculture, Food and Rural Affairs, to request that representatives of the agrifood sectors in southern and eastern Ontario be an integral part of negotiations to amalgamate the colleges with the University of Guelph, this request also appears to have been ignored."

Those are the great consultants over here. This is the June edition; I did not go back. It's the total lack of consultation that makes people nervous about this bill. It's a very good article you're holding up there; I like the picture on the second page myself.

The act states that the members will be appointed by the minister. Many will be, I believe, civil servants — because we don't have the Lieutenant Governor making appointments; we have the minister doing that — or those who have the ideology of the government. I asked who would be on the board of directors of AgriCorp. I hope that the farmers of Ontario have the bulk of the seats, if not indeed all of the seats.

1640

The institute will be able to establish fees and service charges. Their administrative changes are just that and they are not legislated, so where are the safeguards against higher and more user fees, and what of future cuts to Guelph? The farmers say there is a lack of consultation on many of these points.

I want to touch just very quickly on ARDA, the Agricultural Rehabilitation and Development Act — it's also contained in the bill — and say that I hope the government would listen to suggestions by the Ontario Cattlemen's Association. This part of the bill seems in the main to pertain to northern Ontario and pasture lands. It would seem reasonable that co-ops, if indeed they are formed, would have a reasonable chance and opportunity to acquire those lands back.

I also want to make a remark about acid rain, which has an effect on crop insurance. Acid rain can have a serious effect on crops in Ontario, and today we learned that the man with most of the knowledge, if not indeed all of the knowledge, and the best knowledge on acid rain, has been let go by the government. This acid rain, for the people who live in the city, is the same stuff that discolours the hood of your car. You can imagine what it does to the tender leaves on fruits, vegetables and other crops.

With that, I urge the government to be very, very careful about their usage of user fees, that they keep in mind that the world is somewhere out and beyond the Toronto area and that the United States is planning to pay their farmers very well, and we are to be competing with them directly. I hope they remember that and don't allow our farmers to fall into an economic trap because of Bill 46. I conclude my remarks and I welcome hearing from my colleague the member for Cornwall.

Mr John C. Cleary (Cornwall): Thank you, Mr Speaker, for the opportunity to speak on the bill that is now before the House, second reading of Bill 46, An Act to amend or revoke various statutes administered by or affecting the Ministry of Agriculture, Food and Rural Affairs and to enact other statutes administered by the ministry, which could otherwise be entitled "A bill which mixes, mangles and mulches over 14 different agricultural bills into one big omnibus bill."

I know the minister has taken the time to call it "just a bit of housekeeping," but let's make no mistake what this bill is really about. Bill 46 fundamentally alters the structures of many farm programs, removes the government from direct responsibility, and allows the introduction of user fees. The bill also accommodates some previously announced changes that will reduce the ministry staff by half and turn over some of the programs to the private sector.

What the bill is really about is new user fees and offloading responsibility, just the same as they've been doing on school boards, municipalities and hospitals. When I heard the Minister of Agriculture trying to explain the bill away as good news last Wednesday, I almost had to laugh. New hidden taxes are hardly good news.

You may protest all you want, but what this bill is really about is new user fees. It's quite plain and right there in the bill: user fees for just about every farm and rural service. Does anyone in the House really believe that farmers will welcome the new user fees that will be imposed on them as a result of the bill? For example, turn to page 36, section 29:

"(3) The minister may, by regulation, grant to a promotion research agency the authority, in relation to the marketing of the milk product in Ontario,

"(a) to fix, impose and collect levies or charges from producers of the milk product...."

It is plainly written in the bill; the minister wants a new dairy production tax. And so it goes throughout the bill. If the minister thinks that's good news, I'd advise he talk directly to the farmers and see what they have to say. But as the minister doesn't have time, let me assure you that I have heard from milk producers on what they think about the proposal of a new fee, levy, charge and whatever. Call it what you want, but by any name, it's still a new tax for farmers. And you know what? They are not calling it good news or taking out their best stationery to send out thank you notes.

I have more to say about the new tax on milk producers, but first I want to comment on the other so-called good news the minister delivered to farmers and rural Ontario.

Since being elected one year and two days ago, the minister has slashed over \$80 million and dismantled half his staff, including field staff, after promising that there would be no cuts. That is why we're here today and why the minister needs Bill 46.

The minister's first stab at farmers was last July, when he took \$13-million worth of cuts; then in November another \$13.1 million. Then in April he announced he was cutting another \$56 million for farmers over the course of the next year. The total damage was astonish-

ing: \$82 million in reductions and elimination of farm programs. These cuts are why we are here today with Bill 46, a continuation of the minister scrambling to offload his responsibilities and generate new revenue for government or its agencies.

Bill 46 before us today is an extension of the following cuts: cancellation of the milk utilization audit program; reduction of the Foodland Ontario food service program; closing of the Brighton veterinary laboratory; cancelling of the Niagara tender fruit lands program; cancelling of the private mortgage guarantee program; reduction of the tile drainage loan program; reduction of the financial assistance program; cuts in research administration; reduction in field services; closing or amalgamating agricultural offices in Cayuga, Waterloo, Matheson, Newmarket and — can you believe it? — in Alexandria. The residents of the agricultural community in Alexandria, the commodity groups, offered to put funding together to keep the agricultural office open because there was a need for it in the community. They could not get the government to agree to it.

Also closure in Fenwick; in Plantagenet and Embrum, amalgamation to Alfred College; Huntsville and Dryden to share space with other offices; reductions to research funding to agricultural universities; abandoning the Ontario Agricultural Museum; not to mention that the minister has abolished the jobs of 954 of his ministry's employees. I hope some of that will be temporary.

Perhaps this doesn't sound like a lot, considering the potential that the across-the-board government layoffs may be as high — and they're predicting as high — as 20,000 people from all departments. That's just what we've been reading in the paper. But it is overwhelming when one considers that the agriculture ministry only has about 1,900 employees in the first place. The minister at the present time is in the position of wiping out half of that, 50%, for now. This includes the elimination of 81, almost 25%, field staff. That's a big issue in rural Ontario.

1650

Why are these people being let go, the people who were responsible for providing services and programs to farmers? So that they may be replaced by other people, other outside corporations and agencies that are being set up under Bill 46, who may then collect fees and hidden taxes from farmers who pay for these services.

The minister is now playing a shell game to do his Tory bit to fund tax rebates that mostly benefit some of the more wealthy residents of Ontario, and not particularly farmers. These cuts you are making are targeted from only about 35% of your budget because, as you know, one third of the ministry's budget, not quite \$150 million, is allotted to direct ministry operation expenditures of all other ministry programs and staffing. The other 60%, for the time being at least, belongs to the farm property tax rebate, safety nets and to Guelph university.

As much as the minister might love to raid this 60% of the budget, perhaps to hand out larger personal income tax rebates to some of the wealthy Tories, he can't. That's one good thing. So somehow, from only one third of the minister's budget, he has managed to ransack millions.

Mega-corporations, and likely even the Premier, would not consider the dollars at hand to be sufficient, because the entire agriculture and food industry is very tiny in comparison and represents less than 1% of the total government spending. As small as it may be, though, every single dollar is vital to the industry. Every single dollar in the farm program is essential to farmers.

Somehow, though, this minister has managed to scrape away \$82 million in just one year, with the potential damage in Bill 46 to be calculated. This becomes even more flagrant mistreatment, considering that the cuts go directly against what the agriculture minister and the Premier promised during the election campaign last spring. Your promise, minister — if he were here — to sustain the agriculture budget was very clear and stated repeatedly by you and your colleagues and the Premier in the election documents.

On page 6 of the Mike Harris task force report released one year prior to the election: "Under a Mike Harris government, agriculture will regain its fair share of government support. That is why there are no cuts to agriculture programs in our policy plan the Common Sense Revolution."

"No cuts," the document says. "No cuts," you promised. You even capitalized the word "no" in the document to really drive home the message. Your commitment couldn't have been clearer, yet here we are debating Bill 46, one year and two days after the election campaign, and you have failed to live up to your commitment. Why should farmers or members have trust in government or Bill 46, when it's been said your pre-election commitments are not worth the paper they are written on?

As one of your own caucus members has said about your about-face in agriculture: "I don't want anyone to make a liar out of me. It would be an embarrassment to me and every other person who ran for government. We said it wouldn't be cut, but the simple truth is that we have made the cuts to agriculture."

You have made a liar out of the member for Brant-Haldimand and every other member of the government side. You've already made outrageous cuts to agriculture, and this bill before the House today serves to offload your responsibilities and hurt farmers through the introduction of many user fees.

The drop in funding is even more unfair, since the agriculture ministry has already been cut 24% under a previous administration. At that time, the then critic for the Tory party was very critical, but I must say, he has taken all the records in cutting agriculture, dropping from \$590 million in 1991-92 to \$450 million in 1995-96 and from 0.9% to 0.5% of all provincial spending.

So it is no wonder that backbenchers of their own party are rebelling. You know who they are: the committee of 17, who belatedly passed a motion requesting that the Premier keep his commitment of no cuts. One of your party members, the member for Brant-Haldimand, was quoted as saying in reaction to the agriculture cuts versus other ministries: "Agriculture is already lean and mean. Asking agriculture to take another hit, even the same hit as other ministries, is like asking a long-distance runner and a couch potato to each lose 30 pounds."

Is the general agriculture industry — commodity groups and farmers — happy about the introduction of Bill 46 and those cuts?

The Ontario Federation of Agriculture called your reduction plan “totally unacceptable,” and “We expect nothing less than [those task force report] promises be kept.”

The Christian Farmers Federation of Ontario has gone public saying, “A promise made is a promise owed, and you’ve broken your promise.” The group demands a written letter of apology from the Premier, who failed to keep his word.

The Ontario Soybean Growers’ Marketing Board called upon the government to live up to a pre-election promise, as did the Ontario Agriculture Commodity Council, calling any cuts totally unacceptable: “Rural Ontario expects the Harris team to keep its word. Honesty is important to rural Ontario, and promises are promises.”

The Cattlemen’s Association has written in strong terms that they also expect the government to keep the “no cuts to agriculture” commitment the Premier made to rural Ontario prior to the election.

With Bill 46, not only are you continuing to make cuts to the services offered by your ministry and also to offload your responsibilities, you are venturing deep into the pockets of farmers for new user fees, which by the admission of even the Premier are the same as new taxes.

While I join farmers across Ontario in being surprised that you would promise one thing to get elected and then take a different path, after all, this government has a history of neglecting Ontario farmers, with today’s bill just an extension of the cuts and drawbacks the government started in 1980.

When the Tory government was last in power, Ontario had the distinction of being the farm bankruptcy capital of Canada. From 1981 to 1984, all government spending increases soared by 21%, and agriculture spending from 1981 to 1984 decreased. Agriculture spending fell behind the rate of inflation at that time.

The OFA even took drastic steps at that time, calling on the Premier to fire the agriculture minister. They even tried to deny responsibility for the growing farm crisis by claiming that 1% of the farmers were in any trouble, but federal studies were saying that 18% of the farmers were in severe financial problems. It wasn’t until the 1985 election that the Tories admitted they were in a crisis.

1700

It is obvious that the government plans for abandoning agriculture have been in the making, but Bill 46 is only the continuation of that. Let me point out, for example, that schedule J of Bill 46 calls for the repeal of the Agricultural Rehabilitation and Development Act, which may prove to be the axe to the community where they depend on pastures.

Many farmers have expressed concern that the government repealing their Agricultural Rehabilitation and Development Act likely means that these pastures will be sold off. If this happens, 12 community pastures across the province may become a thing of the past, even though it is agreed that they are a good thing for rural Ontario by way of livestock management, crop demon-

strations and environmental programs. The government may send this positive rural project down the drain.

The Milk Act: To return to the concerns of the milk producers over the new tax for research contained in Bill 46, I was somewhat pacified to note that the bill stated something along the lines that if the commission is of the opinion that the majority of producers in Ontario are in favour of this new levy or charge, the commission may recommend that the charge be established. Other than having a vote, I can think of no way that the ministry and the milk commission would have full assurance that this new tax has the support and approval of the majority of milk producers across the province. If a vote were held and farmers voted in favour of this new tax, only then would I be satisfied. Until that point, I cannot imagine that the milk producers of Ontario want any part of a new user fee included in Bill 46.

Grain Elevator Storage Act and Farm Products Grades and Sales Act: Corn farmers are also expressing unease about how Bill 46 will impact on them, particularly as a result of your plan to eliminate the Ontario Grain Elevator Storage Act and those parts of the Ontario Farm Products Grades and Sales Act that affect grain marketing — and transfer the responsibility to a new grains act — and, at the same time, incur new and higher regulatory fees.

The Farm Products Grades and Sales Act: Meanwhile, horticultural farmers are similarly wary about the amendments Bill 46 is proposing to the Farm Products Grades and Sales Act as well as the inspection programs. In fact, when reacting to Bill 46, an executive member of the Ontario Fruit and Vegetable Growers’ Association has been quoted as saying, “This government didn’t listen” to its priorities and core business needs from government.

Minister, after hearing accusations against you and the bill, accusations which are readily available in agricultural print and media, are you still trying to tell me and the other members of the House that Bill 46 is good news to the fruit and vegetable growers? That’s about as positive as when you told the Niagara fruit growers that you would be pulling out of a \$20-million fruit land plan last July. I heard your ministry was being sued for breach of contract over that. How about farmers suing you for breach of commitments you made in the task force report and the election documents?

Are there any other concerns about Bill 46 from growers? Industry representatives are saying that Bill 46 changes will result in a reduced level of service based on risk. They are worried that some of the services — such as pesticides and residue sampling, nursery inspections, apple minimum pressure tests, honey and maple product inspections, and consumer complaints — may be redirected and others simply abolished.

AgriCorp: There is also an industry-wide rumbling of concern about the lack of details on how the AgriCorp Act, which will oversee crop insurance and market revenue insurance programs, will be administered and how the board of directors will be chosen.

It’s also no wonder that the minister is trying to offload — and I say that again and again — with this bill, perhaps in recognition that he can’t do it himself.

In setting up AgriCorp to administer crop and market revenue programs, the minister meanwhile has failed to live up to his commitment to fully fund these programs. AgriCorp begs the question of, is the minister just looking for a scapegoat to take the heat off his own failures or is he proceeding because it is yet another way to slam new user fees or hidden taxes on farmers?

Agricultural Research Institute of Ontario Act: Bill 46 also renames the Agricultural Research Institute of Ontario with a slightly revised name, the Agriculture and Food Institute of Ontario. This is being done for the purpose of shifting responsibilities for delivery of research, laboratory and education programs away from the ministry over to transfer partners that include the University of Guelph and private corporations.

Anyway, all the things this bill will change will reflect on many of the residents of Ontario. This government promised when it came in to get the closed parks open to create jobs in Ontario. Nothing done. This government is blaming everyone but itself for the condition of our highways, and our transport drivers are complaining bitterly about the condition of the highways. Our agriculture community is complaining too, because they transfer all their food. We've got all the garbage and everything, and all they answer is: "It was the strike. It was the weather conditions."

Well, tell me. You've been governing for over a year, so none of them is worth the salt you — the other thing we're concerned about in agriculture is the cutting back on all the inspections, because every resident of Ontario depends on clean water, inspected food and fresh air. All these ministries are being hit very hard and I'm not sure the residents of Ontario will have that in the very near future.

1710

The municipal people are very concerned too, and a lot of them come from agricultural communities. They're concerned about the municipal boundaries. There's no leadership and no guidelines to help those municipalities in any way. I meet with them often and they say the ministry doesn't even answer their letters.

I'd like to conclude by saying that the Minister of Agriculture, Food and Rural Affairs should come clean with what Bill 46 is really about. This bill is not about improving the business of agriculture, food and rural affairs unless the business in question is not about improving farming itself but about establishing and collecting taxes from rural residents.

Unless I am mistaken and the farmers of Ontario really are waiting to see what this bill will bring to them, many do not think that it's a housekeeping bill and that many good things will come from the bill.

As I have mentioned, the bill is really about how to dissolve existing programs and then backtrack to reintroduce those services by farmers paying hidden tax upon hidden tax on them. Farmers are to cough up new taxes for AgriCorp. Many farmers will pay hidden taxes to the Agriculture and Food Institute of Ontario.

Bill 46 is not an honest bill for the farmers of Ontario. We have a government that insists it's not hiding taxes, but this is exactly what this bill does. Before voting on second reading of Bill 46, I encourage every member of

the House to demand that the minister tally up all of the revenues and angles he has included in Bill 46 to impose new taxes on farm services. Tally up the figures and be prepared to provide to farmers across Ontario that information about what they can really expect as a result of this piece of legislation.

My colleagues and I call upon the Minister of Agriculture, Food and Rural Affairs and all government members to ensure that no user fees are introduced as a result of this bill, because we all know the Premier's well-quoted words that "a fee increase is the same as a tax hike." As it stands now, that's what this bill is really about — off-loading and tax hikes.

The Acting Speaker (Mr Gilles E. Morin): Questions or comments?

Mr Toby Barrett (Norfolk): With respect to this bill, the member for Essex-Kent questioned the consultation process. Many of us representing rural ridings have an excellent method of consultation through our local federation of agriculture. Leading up to this bill, I've had an opportunity to speak with the Norfolk federation, which has two different branches in my riding. Also, Minister Noble Villeneuve conducted the table talk sessions across Ontario.

The feedback we received, which I feel has direct bearing on this agrifood and rural business bill, Bill 46, relates to the problem of red tape. Farmers are businessmen, like anyone else. Red tape, rules, the silly regulations are killing the business of farming and taking the fun out of it, just as much as they're taking the fun out of doing any kind of business. This is a bill that by streamlining the various acts — many of them had outworn their usefulness — gives us an opportunity to eliminate some red tape.

The member for Essex-Kent mentioned crop insurance. The jewel in the crown as far as this bill is concerned is AgriCorp, in my opinion, and its pulling together of the business of a safety net, GRIP and NISA, bringing it under, initially, the Crop Insurance Commission.

The member also mentioned the US farm bill. Much of the work on that lies under the federal government. We are negotiating with the federal government a bilateral safety net program. This will result in a total of approximately \$600 million in assistance to Ontario farmers over the next three years.

Mr Michael A. Brown (Algoma-Manitoulin): I just wish to make a few brief comments on the fine presentations by the member for Essex-Kent and the member for Cornwall, two people who are very familiar with the agriculture community and the agriculture business in the province of Ontario.

As I listened to their speeches, I think there's nothing clearer than that this is the standard government rhetoric of less service for more money. That's what this is about. Make no mistake out there, this is about reaching into farmers' pockets and then delivering less service. That's what this bill is about and that's what's going to happen.

I think about the farm community in Algoma-Manitoulin; I think about the beef farmers. We have a very large, prosperous beef community at most times. Right now, as members would know, commodity prices

for beef are very low, making it a very difficult time for the farm community in my area.

I'm surprised that the government, in its wisdom, is looking at destroying a program for veterinarians that has been in this province across the northern districts and some of the northern counties in this province. They are reducing the funding and making it very difficult for livestock producers in my area and across northern Ontario and in the northern counties to have veterinarian service.

I think about the dairy farmers who, without any consultation, are having their milk now pooled into one large northern pool. This was done. It was a surprise to both producers and processors in northern Ontario, and they are shocked.

I just would like, in a brief period of time, to congratulate the members for bringing important issues before this Legislature.

Mr Danford: It's a pleasure to have the chance to respond to the two members opposite who have made some points that refer to our new bill.

I'll have to support what my colleague said. Certainly the consultation process was extensive. It was dealt with with all the groups that are affected, and we have had endorsement from those groups that actually put some of this plan together. So I have a real problem with saying it was not dealt with in an effective way, because actually some of the actions that are contained in this bill reflect solely what has been suggested to us by those different groups.

In fact, the two parties opposite have also in the past endorsed many of the aspects of this plan. I think it's great to see that they've had that support in the past, and that's why we're working towards this end.

Referring directly to AgriCorp, AgriCorp is actually an opportunity for the industry to be directly involved, and they've made that very clear to us, in the decisions that will direct and affect their industry and allow them to be part of the program that will deal with the current programs that are needed for the future. It is a real opportunity.

The other thing I'd like to touch on perhaps is reference to the Milk Act and how it will be affected. It's interesting to note in particular that the changes there were supported by both the DFO and the Ontario Dairy Council. Being a former milk producer and involved with that industry, I well remember how the production and the promotion used to be done, in some cases on a national basis. This allows those groups the opportunity they've been requesting for a number of years. I think all those things are part of the background of why this is an important bill and benefit.

1720

Mr Doug Galt (Northumberland): It's a pleasure to be able to respond to the members for Essex-Kent and for Cornwall. I noticed they were criticizing quite a bit the reduction in the number of staff, the reduction and cuts in some programs or in the amounts of money to the ministry.

Let's take a look at what's going on. We're now spending far more than we're taking in. The interest is up to \$8 billion, and that's about how much more we're

spending than we're able to take in. Why are we there? Because we have a debt of \$100 billion, most of which has occurred in the last 10 years. In the last 10 years the debt has increased more than ever, since the beginning of time. Where does the blame lie? Right across the floor with the Liberals and the NDP that were in government at that time. We're now spending \$1 million an hour more in interest. We just don't have that kind of money.

During the 1980s, in the good times, the Liberals couldn't balance the budget.

Interjections.

The Acting Speaker: Order. The member for Algoma-Manitoulin, you're going too far; and the member for Nipigon.

Mr Galt: In the 1990s, the NDP tried to spend their way out of debt, in recessionary times, of all the foolish things to try to do. If you have a partnership and one person goes out and overspends, and later on the other partner tries to balance the budget and get things under control, who's at fault, the one trying to get it under control or the one who went out and spent a whole lot to begin with?

Who has failed recently to live up to promises? A Liberal in Hamilton who's out in a by-election now trying to get re-elected, that's who hasn't been paying any attention to the promises.

Recently I was in Cornwall and I couldn't coax a debate on your radio station. There wasn't an insult that came in. They were all supportive of what this government is doing.

The Acting Speaker: The member has two minutes in reply.

Mr Hoy: The members opposite are talking about the great consultation process that went into Bill 46. I had the opportunity to talk to the president of the OFA and I can understand that the government certainly wouldn't want me to know what was going on over there. By all accounts they're doing very well. We get no press releases from the minister, only after the fact — maybe three or four days after — we get no speeches from the minister. I asked for a cordial briefing from the minister when I got here, in July and August; we aren't getting that either.

I know you're not going to tell me your deepest, darkest thoughts, but I thought it would be nice if we could have a relationship where you would tell me a few things once in a while. If you want to be that way, that's fine. We'll wade through the bill and probably know more about it than the backbenchers do in any regard. The PA may know something about it.

If there was this great consultation process, why did we get a letter from the Ontario Corn Producers' Association, dated June 7, suggesting to the minister what's wrong with the bill? If they had this preconsultation, the bill wouldn't have these things in it. The OCPA would have written back and said, "We think your bill is fine due to the consultation process we had," but clearly they did not. To give you an example, "the minister...should also make such documents public," something that I suggested as well. If the consultation process was so wide and so long, how come you get letters at the last minute, even after first reading, telling you the bill has errors?

The Acting Speaker: Further debate?

Mr Hampton: I appreciate the opportunity to get involved in this debate. This is, as we know, essentially omnibus legislation, so I'm going to cover the turf in terms of where this bill will strike and all its implications.

It was striking, as I listened to the speaker from Hastings-Peterborough earlier try to portray this yet again as a little bit of housekeeping legislation, when we know that the impacts of this bill will be felt far and wide across rural Ontario. I want to go through some of those impacts, all the impacts that the member failed to mention.

The government has spoken a lot about restructuring with respect to agriculture and rural affairs.

Interjections.

Ms Shelley Martel (Sudbury East): There's someone else who knows nothing about his riding. You don't know a thing about his riding.

The Acting Speaker: The member for Sudbury East, order, please. The member for Rainy River, please take your seat. When the Speaker stands, the member takes his seat.

The member for Rainy River.

Mr Hampton: The Conservative government has put out a lot of jargon in terms of restructuring the Ministry of Agriculture, Food and Rural Affairs. What they don't point out to people when they use the term "restructuring" is that farmers and residents of rural Ontario across this province are going to pick up some very hefty hidden taxes. I want to go through some implications of what's going on here.

In effect, the deregulation of the farm sector means that someone is going to have to pick up the cost of many institutions and many organizations that in the past the Ministry of Agriculture has covered or has provided the particular services for. Who is going to pick up those fees, charges and assessments? In the end, it's going to be farmers and rural residents, yet the government has conducted very little discussion on these subjects. There's a reason for that. I believe the government intends to get the bill passed and then, after the bill is passed, they will go to farm organizations and rural communities and say: "This is now the law, and these are the costs that we think are going to have to be covered to do all these things. Now we need to talk to you about the costs."

The government's strategy is that after passing the legislation, they will get around to talking about the fees. The fees, the costs will be directed at what it is going to cost, who's going to have to cover the expense of providing existing services. That's very much what the focus will be on. It won't be on, for example, what are the services that farmers need to move into the 21st century? What are the services and programs that the farm sector in Ontario needs to be productive in terms of the 21st century? None of that seems to be on the table either. What will be on the table is, "These are the things the Ministry of Agriculture, Food and Rural Affairs used to cover; these are the things you farmers and rural residents will now have to cover."

My sense is that farmers and residents of rural Ontario generally are not opposed to some elements of cost recovery. What they're interested in is fairness. They

don't want to pay more at the end of this process than they have been paying in the past. They don't want to pay more in terms of hidden taxes than they were promised or that they were told would be waiting for them.

There's another piece that figures into this calculation, and it's not just about the Ministry of Agriculture and Food. The reality is that this Conservative government is going to pass on all kinds of other costs to rural municipalities. For example, residents of rural Ontario will have to pick up more and more of the road budget for their municipality; residents of rural municipalities will have to pick up more and more of the social service budget; residents of rural Ontario will have to pick up more and more of the education budget.

In looking at what's happening in rural Ontario, it's important to look first at all of this bill, and this bill is mainly about passing off costs that used to be covered by government generally, that used to be covered out of the general revenue fund, that are now going to be passed on to rural residents.

1730

It's important to look at that, but it's also important to look at all of those other costs that are going to be passed on to rural residents: the increased costs of education, the increased costs of roads and highways, the increased costs of social assistance. When you factor all this in together, what is happening out there as a result of this government is that residents of rural Ontario are being hit with the highest tax increases they have ever seen historically in the province. I'm going to go through that and demonstrate it.

I also want to reflect back on what was said in the so-called Common Sense Revolution and in the other policy documents the Conservative Party issued before the last election. What they said in those policy discussions was that there would be no cuts to agriculture. We already know that's completely phoney and false. In July 1995, \$13 million was cut from the agricultural budget; in November, another \$13.1 million; and in April of this year a further \$56.7 million budget cut was announced. If you add up the figures, it comes to close to \$85 million that has already been cut from the Ministry of Agriculture, Food and Rural Affairs despite the promise that there would be no cut to agriculture. In fact, 954 out of approximately 1,850 positions have now been cut from the Ministry of Agriculture.

In that context we need to look as well at what the Conservative Party was saying before the election and the reality they're creating after the election. People will judge for themselves about a party that said before the election, "There will be no cuts to agriculture." They've now cut more than \$85 million from agriculture and they've cut more than 954 positions out of rural Ontario.

The services that have been affected? Meat inspection services. There's an irony there, an irony because during the OPSEU strike this is a government that was going to court saying that meat inspection services were absolutely essential. Then, after the strike is over, they go lay off a whole bunch of meat inspectors. The public will have to judge for themselves about the honesty and integrity of

the government on this particular issue with respect to meat inspection.

Horticultural inspection services are going to be cut, and I'll go into that in some detail. Foodland Ontario is cut; there's a reduction in field offices. The Niagara tender fruit lands program is cut. The veterinary assistance policy for designated areas is cut, and that's going to hurt particularly in northern Ontario and the more remote parts of rural Ontario.

Then there is of course the Ontario Agricultural Museum. The irony about the agricultural museum is that most of the exhibits and much of the money for the agricultural museum were made available by private citizens in the form of donations. Here you've got a government that says: "We don't care about that. We're simply going to do away with it."

I want to now turn to AgriCorp, because that seems to be the centrepiece of what the government is out there talking about. I want to deal with what I believe is actually happening in AgriCorp. In effect, AgriCorp is now going to deliver crop insurance and market revenue programs and any other related bipartite and tripartite safety net programs developed in the future.

It's important to note the Conservative conception of AgriCorp. There have been discussions in the past about what AgriCorp should look like, but the body that is being created by this government is, I predict, going to be mainly a body for the collection of revenues, the collection of fees, the collection of charges, the collection of assessments from farmers across the province. The fact of the matter is that AgriCorp is expected to generate revenues to cover the cost of its programs and the administrative services that were previously provided by the government.

I go back to the argument: The government, out of its general coffers, out of its general revenue, used to cover some of these services for farmers. That's not going to happen now. The general revenues will not be available to cover these services for farmers. Farmers will have to pay for all of that themselves, and that, by any other name, is a tax being imposed on farmers. We're saying to farmers, "If you want these services, you will have to pay these taxes." That's what's happened.

Again striking are the government's position before the election and the government's position after the election. The now Premier said frequently before the election that user fees by any other name were taxes. That doesn't seem to be true any more. Somehow the now Premier doesn't associate user fees with taxes.

The president of the Ontario Federation of Agriculture is not being fooled. He said, in the *Kitchener-Waterloo Record* on May 3, 1996, that the government is "breaking their promise of no new taxes by proposing to partially fund AgriCorp through user fees." He said, "User fees in my books is a tax by any other name." That's Tony Morris, president of the Ontario Federation of Agriculture, in the *Kitchener-Waterloo Record*, May 3, 1996.

How will these fees happen? I believe we need to look at some of the documentation, some of what is actually there. Before I do that, however, I want to point out another issue.

If you accept that AgriCorp is to deliver not only the existing crop insurance and the existing market revenue programs and any other related bipartite and tripartite safety net programs developed in the future, you can see that this becomes an open-ended vehicle to impose more and more fees and service charges on farmers.

In other words, if the federal government or farm organizations should go to this provincial government in the future and say, "We've got a problem here in a particular commodity area," or, "We've got some destabilization of agricultural markets happening because of conditions in Europe or conditions in the United States and we want to work with you on this," this legislation will make it possible for the government to say, "Oh, we can do this, but the assessment fee for doing this, the charges for doing this will be such-and-such."

This is a very open-ended piece of legislation for imposing more and more user charges, user fees, assessments, hidden taxes on farmers and rural residents across the province. Again, more taxes.

We need to talk also about the other centrepiece of this legislation, the Agriculture and Food Institute of Ontario. In effect, this legislation will change the name of the Agricultural Research Institute of Ontario to the Agriculture and Food Institute of Ontario, and the AFIO will become a schedule 3 agency. It will shift responsibility for the delivery of research, laboratory and education programs to partners, including the University of Guelph, Agriculture Canada, private corporations and farmers.

What's interesting here is this: If you go out and talk to farm organizations, they will tell you that for agriculture to do well in this province research is important, maintaining the laboratories and laboratory facilities is important, and the education and applied education and technology transfer aspects are all important. In other words, if agriculture in Ontario is to improve, if agriculture in Ontario is to advance, we have to continue to do applied research, we have to have the laboratory facilities and we have to have the mechanisms, the institutions to then take the results of that research and put them in the hands of farmers in the form of technology transfer, in the form of applied education.

1740

What is really happening here, with the establishment of the Agriculture and Food Institute of Ontario and the way it's going to be financed, is that the government is in effect saying, "If you want to do research, if you want to do applied research, if you want to maintain the laboratory framework, if you want to maintain the education programs and the applied education programs, you're going to pay for it." That's essentially what the government is saying: "If you want these things, you're going to pay for it."

But it's interesting; you have to note the mechanism. First they're going to transfer it over to the so-called partners. Then later they're going to come to the partners and say: "This is how much it costs. Where are you going to get the money?" What the government is really trying to do here is this: They're subtly trying to shift political responsibility.

If you turn over responsibility for these things, the responsibility for administration, the responsibility for

running these things, to farm organizations, to the University of Guelph, to farmers in general, and then you say to them, "Where are you going to find the money?" you put them in the position of effectively having to close down these institutions, of having to curtail research, of having to curtail applied research. You put them in the position of having to say, "I guess we can't operate this college, or we can't operate this college at the level that we operated it before." That's really what's going on here.

It's saying to farmers, and I know some farmers have already figured out the puzzle, "If you want these services, you pay additional for them, and if you can't afford to pay additional for them, then you close them down." If you sort through this puzzle, what it comes down to again is the imposition of added charges, fees, assessments — taxes — on rural residents, farmers and farm organizations. Then it says to all those folks in rural Ontario, "If you can't afford to pay these, if in addition to the increased education taxes, the increased property taxes, the increased costs of maintaining your roads, the increase in other fees and assessments for agricultural services, if you can't afford to maintain all this, then you shut it down."

I predict that that's really what's going on here and a year or a year and a half from now when these farm organizations and farm partners come back to the government and say, "We really want to maintain these, we really want to do the work here," I suspect the government is going to say: "No, it's your responsibility. You look after it. You take care of it. If you can't do it, close it down."

The fact is that already, as the government is making this transfer, three of the colleges are being positioned for closure. The Ridgetown agricultural college, the Kemptville agricultural college and the Alfred agricultural college are all being positioned for closure. I go back to what the now Premier said before the election: "There will be no cuts to agriculture. There will be no cuts to agricultural programs." Yet we're seeing three of the colleges which are integral to doing that applied research and then distributing that applied research so it can be used by farmers — those very colleges are being cut and closed.

I want to go on to horticultural inspection. The fact is that 12 of the 16 OMAFRA horticultural inspectors have already gotten their pink slips. Folks might ask, "What's so important about that?" There's something very important about that for consumers and for farmers. The fact of the matter is that farmers, if they want to maintain the reputation they have out there with the public, the reputation they have with food processors, if they want to maintain their reputation for producing good-quality, healthy food that is safe to eat, they have to show that there is a reputable inspection program in place. You could get away without having horticultural inspectors for some period of time, but that will catch up with you.

The government is firing, laying off, 12 of the 16 horticultural inspectors. What they're positioning for is that they're going to say to the fruit and vegetable growers, "If you want to maintain your reputation for producing good-quality fruits and vegetables that are

healthy and safe for people to eat, you pick up the cost of inspection; you find a way to pay for these inspectors." What does that amount to? Again it is the downloading of more fees, assessments, charges, hidden taxes upon farmers. The general revenues of Ontario will no longer cover any of these costs for farmers. Farmers will have to pay increased taxes if they want these very valuable services.

Fruit and vegetable growers should be concerned about this. They should be concerned about it from two perspectives. First, they should be concerned about it because it is going to add to their costs, and their costs of production enter very much into the calculus of how they are able to compete with producers outside the province, enter into the calculus of whether their business can survive. So they ought to be very concerned about this, but they ought to be very concerned about it from another perspective as well. That perspective is that if the public begins to take the view that Ontario fruits and vegetables are not adequately inspected, that their health and safety in terms of human consumption is not what it should be, there is a potential loss across the industry.

I will say to you that government here is playing with fire. They're playing with fire here in much the same way they're playing with fire in Ontario's forests. Ontario has a very well-off forest industry, a very productive forest industry. It employs literally hundreds of thousands of people.

The government assumes it can make all kinds of cuts in the forest sector yet we will continue to be able to sell our products in Ontario, elsewhere in Canada and outside the jurisdiction. I think we're going to run into trouble there. I think other jurisdictions are going to say: "The way you're running your forests, your natural environment, is not sustainable, and we are not going to buy your produce. We're not going to buy the products you produce out of your forests."

The government is playing with fire here in terms of fruits and vegetables and horticultural inspection as well. But this probably won't happen until two or three years down the road, and I suspect when it does happen two or three years down the road, the government will say: "The fruit and vegetable producers should have done something about this. They should have paid the additional costs to have inspectors in place. They should have paid the costs to have this quality assurance."

I want to turn now to some of the other elements of the bill, the Riding Horse Establishments Act. The government says this is unnecessary legislation, the Riding Horse Establishments Act. In fact, when they generally talk about these pieces of the bill, they say, "This is all ancient, old stuff and we don't need it." The Riding Horse Establishments Act is not ancient legislation. It was brought in 25 years ago by a Conservative government, to deal with and respond to some very serious situations.

There are over 500 riding schools in the province. Some of them operate at a very high level of quality; others do not. This legislation was brought in to ensure that horses used in these kinds of commercial establishments were properly treated and that there was no abuse. Again what the government is saying is that it will now

tolerate some abuse, will tolerate a lowering of the standards. I say to the government that a lot of people in the province will not.

Interjections.

Mr Hampton: The members from the Conservative caucus want to make a bit of a racket over there. I would just quote to them that the University of Guelph's Centre for the Study of Animal Welfare considers the repeal of this legislation "a retrograde step." The Ontario Veterinary College agrees. They saw and still see a real need for this legislation in terms of protecting the welfare of horses in these kinds of commercial establishments. But as we know, this is a government that is all about making a quick buck and if animals are hurt in the process, if animals are abused in the process, well, they really don't care. What matters is that somebody be able to make a quick buck, and that's really what's going on here.

1750

The Ontario Society for Prevention of Cruelty to Animals is also very angry about this. They know what potentially can and will happen as a result of the taking out of this piece of legislation, but they've already spoken to the government, and as so often happens, this government is not interested in listening to those folks.

Then we come to the Abandoned Orchards Act. The government wants to say again that this is ancient legislation, it's not needed, so we'll get rid of it. The problems that this legislation was created to deal with are still out there and the problems will not go away. But again, let me tell you what the government's really up to here. What they want to do is they want to pass this responsibility off on to municipalities, and municipalities, through the property tax, will have to pay for this. But first, let me get into the problem.

This act was established and provided for action against neglected orchards in order to prevent the spread of disease and pests. When you're dealing with the fruit industry, when you're dealing with tender fruits especially, you've got to be on guard against the spread of disease and pests because, frankly, what was one farmer's problem in one area of the province can very soon become a problem of all farmers, and all farmers lose.

The abandoned orchards will now be designated under section 10 of the Weed Control Act and action will now have to be taken by the municipality. So the province is now saying — once again, this is a service that used to be provided to farmers by the province — "No, we're not doing this. We're going to pass it off to the municipality," and the municipality is going to have to raise fees to cover it.

I go back to my original argument: A fee, an assessment, a user charge is a tax. What the government is essentially doing here, it's increasing the taxes upon farmers and rural residents.

So now the municipality will have to cover these costs instead of the provincial entomologists. The costs of burning an abandoned orchard will have to be recovered by the municipality from the land owner, and if they can't recover the costs from the land owner, they will have to pass them on to municipal ratepayers.

The Ontario Federation of Agriculture has raised this issue and they say that although orchards will be desig-

nated under weed control, tender fruit and apple producers have concerns about the spread of disease. An apple producer from Georgian Bay believes that municipalities will not have the expertise or have the will to properly deal with the problems created by the abandoned orchards. An entomologist, in this case, would be expertise from outside of the local area making recommendations rather than the politically sensitive municipal reps, and if the recommendation from the municipality comes down to hiring the expertise, there will be a question of who pays. If municipalities have to take this on, it will be the municipal taxpayer, the municipal resident, the farmer who will pay. As I said, the switching of more costs, more taxes on to rural residents.

I want to go on and go through some of the correspondence that this legislation has engendered. I expect that the Conservative caucus members don't want to hear this, but they should hear it nonetheless because I think it is quite relevant.

Here's a letter from Tony Morris, president of the Ontario Federation of Agriculture, June 4, 1996, and it's sent to the Honourable Noble Villeneuve, Minister of Agriculture, Food and Rural Affairs. At the top of the letter, stamped in big, dark letters, is the word "urgent." In this letter he said he sees your legislation, but there has to be "significant input into the way AgriCorp was to be funded, administered and governed."

"I and other farm leaders were becoming increasingly anxious that the consultative phase of implementation was going to be overlooked. It was widely speculated in the farm community that this bill has been marked for speedy passage in order that the new agency be fully operational by January of 1997."

He then goes on to say to the government, "If you want this to have speedy passage, you better come and talk to us about how some of these fees and charges are going to happen."

I then go to the news release from the OFA, May 3, and he says very clearly in the news release: "If farmers are to be charged user fees, they must be allowed to contribute to the administration of AgriCorp. Farmers must have the opportunity to actively participate in decisions that affect their future and to ensure that maximum benefit is derived from scarce dollars."

This is an article in *Farm and Country*, Tuesday, May 14, and it says very clearly, "Will Farmers Pay for AgriCorp?" Again I quote Tony Morris: "Very clearly, producers are going to be asked to pay more for the services they now expect. If user fees are not another form of taxation, I'm not sure what you'd call it."

"I don't think we're going to be interested in smoke and mirrors and transferring the cost of the ministry to AgriCorp....We're going to be lobbying for majority control for the farm groups."

Interesting. Again, the president of the Ontario Federation of Agriculture is very clear about what's going on. These are user fees, these are new taxes being applied to farmers.

I want to go to another article that was in *Farm and Country* on Tuesday, May 14, "Who Will Pay the Inspection Bill?" In this case, it's the inspection bill under the Farm Products Grades and Sales Act and the

Grain Elevator Storage Act. These changes that are outlined in this bill will cut ministry spending by \$250,000 a year. The question is, who is going to pick up the charges of doing these inspections?

"Don LeDrew, manager of the Ontario Corn Producers Association, says the province has told farm groups and elevator operators to find a new way to fund the inspection program." Translated, that says to farmers, "Yes, it's important that these facilities be inspected, but you pay for the inspection of these facilities."

Then we go on to an article in Agriculture, Food and Rural Affairs and the title of it is "Farm Laws to be Overhauled." Tony Morris says again, "The OFA is concerned, however, that the Conservatives are breaking their promise of no new taxes by proposing to partially fund AgriCorp through user fees." Morris says again, "User fees in my books is a tax by any other name."

The government strategy is not working out there. Certainly Tony Morris, president of the Ontario Federation

of Agriculture, and other people actively involved in the farm organizations clearly understand what's going on. These are taxes.

There's another element here. It's not covered in the legislation, but it illustrates again the rising tide of fees, taxes and assessment that farmers are going to have to bear.

The Speaker (Hon Allan K. McLean): Would this be a good place to wrap up?

Mr Hampton: In that case, I'll leave this until the next day because I wouldn't want to miss this point on Ontario Hydro. Since the government has announced that it's in favour of the privatization of Ontario Hydro, I wouldn't want the people of Ontario, especially the people of rural Ontario, to not understand how much —

The Speaker: It being 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 1800.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

CONTENTS

Monday 10 June 1996

MEMBERS' STATEMENTS

Portugal National Day	
Mr Ruprecht	3403
Mr Silipo	3403
Mr DeFaria	3403
Mr Marchese	3404
Northern Ontario	
Mr Gravelle	3403
Information technology	
Mr Spina	3404
Magnetic resonance imager	
Mr Bradley	3404
Events in Hamilton	
Mr Christopherson	3404
Seniors Education Day	
Mr Young	3405

STATEMENTS BY THE MINISTRY AND RESPONSES

Ontario Hydro restructuring	
Mrs Elliott	3405
Mr Conway	3407
Ms Churley	3408
Victims of crime	
Mr Harnick	3406
Mr Runciman	3406
Mr Ramsay	3407
Mrs Boyd	3408

ORAL QUESTIONS

Sheppard subway	
Mrs McLeod	3409
Mr Palladini	3409
Education financing	
Mrs McLeod	3409
Mr Snobelen	3410
Young offenders	
Mr Wildman	3411
Mr Runciman ...	3411, 3413, 3414
3416	
Mrs Boyd	3411, 3413, 3414
3416	
Ministry of Environment and Energy staff	
Mr McGuinty	3412
Mrs Elliott	3412

Law enforcement

Mr Doyle	3413
Mr Runciman	3413

Ontario Hydro restructuring

Mr Conway	3414
Mrs Elliott	3414

Trucking safety

Mr Gilchrist	3414
Mr Palladini	3415

Workfare

Mr Agostino	3415
Mr Tsubouchi	3415

Cardiac care

Mr Baird	3417
Mr Wilson	3417

PETITIONS

North York Branson Hospital	
Mr Kwinter	3418
Economic policy	
Mr Marchese	3418
Bicycling safety	
Mr Boushy	3418
Dellcrest Children's Centre	
Mr Ruprecht	3418
Occupational health and safety	
Mr Christopherson	3419
Driver examinations	
Mr Grimmett	3419
Mandatory inquests	
Mr Bartolucci	3419
Rent regulation	
Ms Martel	3419
Transition House	
Mr Hoy	3419
TVOntario	
Mr Michael Brown	3420
Video lottery terminals	
Mr Bradley	3420
Bear hunting	
Mr Christopherson	3420
Gasoline prices	
Mr Cleary	3420
College of Teachers	
Mr Hoy	3420
Liquor Control Board of Ontario	
Mr Bradley	3420

SECOND READINGS

Employment Standards Improvement Act, 1996,	
Bill 49, <i>Mrs Witmer</i>	
Agreed to	3418
Ministry of Agriculture, Food and Rural Affairs Statute Law Amendment Act, 1996	
Bill 46, <i>Mr Villeneuve</i>	
Mr Danford	3421, 3423, 3431
Mr Hampton	3422, 3432
Mr Hoy	3423, 3432
Mr Cleary	3428
Mr Barrett	3431
Mr Michael Brown	3431
Mr Galt	3432
Debate adjourned	3437

OTHER BUSINESS

Visitors	
The Speaker	3405
Mr Crozier	3405
Members' anniversaries	
Mr Conway	3408
Notice of dissatisfaction	
Mr Agostino	3417
Member for Ottawa East	
Mr Sterling	3417

TABLE DES MATIÈRES

Lundi 10 juin 1996

DEUXIÈME LECTURE

Loi de 1996 sur l'amélioration des normes d'emploi,	
projet de loi 49, <i>M^{me} Witmer</i>	
Adoptée	3418
Loi de 1996 modifiant des lois en ce qui concerne le ministère de l'Agriculture, de l'Alimentation et des Affaires rurales,	
projet de loi 46, <i>M. Villeneuve</i>	
Débat ajourné	3437

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Official Report of Debates (Hansard)

Tuesday 11 June 1996

Journal des débats (Hansard)

Mardi 11 juin 1996



Speaker
Honourable Allan K. McLean

Clerk
Claude L. DesRosiers

Président
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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 11 June 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 11 juin 1996

*The House met at 1332.
Prayers.*

MEMBERS' STATEMENTS

VICTIMS OF CRIME

Ms Annamarie Castrilli (Downsview): I'd like to congratulate the Attorney General on yesterday's victims' rights announcement. An automated notification system is a significant step towards ensuring that people who have suffered at the hands of criminals are able to enjoy life without constant fear of reprisal. The onus of such a system, however, should be on the justice system and not the victim.

Yet it is unfortunate that it has taken more than two years to identify meaningful initiatives for the funds accumulated through the victim fine surcharge. Each day in this province the number of victims increases. Each day the need grows for additional assistance, support and understanding.

Today we designate June 11 as the Annual Day of Commemoration for Victims of Crime. In doing so, we recognize the adversities, the challenges, the constant emotional struggles that victims in this province must endure.

We as a society must work together to battle crime: to protect our neighbourhoods and individual freedoms. This is a day we honour the courage and perseverance of all victims in Ontario and indeed throughout the world.

However, a day of commemoration is not enough to make up for the trauma the victims have tolerated. We must seek out innovative, meaningful and substantive ways of dealing with victims' rights. We must do all we can to lessen the hardships of victims. Let this day not be merely lip-service and let us never forget our obligation to victims of crime.

SEWAGE AND WATER TREATMENT

Mr Len Wood (Cochrane North): Today I want to congratulate the Attawapiskat First Nation on the grand opening of the water and sewer sanitation system, as well as the Vezina Secondary School technology wing, in Attawapiskat on June 3.

The new water and sewer sanitation system will provide the long-awaited provision for running water in this community, greatly improving the quality of life. This sewage system will serve the community of 1,500 residents and 232 households with a dependable source of potable water and reliable disposal of sewage. The opening of the Vezina Secondary School technology wing will bring vital technology programs to students in this area.

Financed through federal, provincial and first nation resources, the two projects represent \$18.4 million worth of improvements to infrastructure and education. These projects were, in part, funded by the NDP government. The water and sewage system received funds from the Ontario home retrofit program which provided indoor hookups to the water and sewer lines.

When I first ran for office back in 1987 for Cochrane North, there was no water or sewage system in Attawapiskat. Now almost every house is serviced.

Clean water is a basic right and my government can be proud of this accomplishment, as can the community of Attawapiskat. I want to also congratulate Chief Ignace Gull and the band council over the last couple of years for pushing very hard to have these projects completed.

PORT CREDIT RIVERFEST

Mrs Margaret Marland (Mississauga South): This weekend, from June 14 to 16, the village of Port Credit will celebrate our ninth annual Riverfest, Port Credit's festival by the Credit River.

This event was begun by the Port Credit Business Association as a family-oriented community festival to bring together local residents and make them aware of the wonderful variety of stores, services and restaurants Port Credit has to offer.

The festival has grown into a major carnival, which includes a midway, children's village, petting zoo, clowns, wagon rides, live entertainment, giant sidewalk sale, pancake breakfasts, beer garden, bake sale, baseball tournament, bed races and a tug of war. Best of all, Riverfest is free.

The Port Credit Business Association, which continues to organize the event, works closely with Happyland shows and a variety of community groups. Congratulations to Syd Silver, the Riverfest chair, and the members of the organizing committee who represent the Credit Valley Lions, Ontario Friends of Schizophrenics, Credit Valley Civitans, Mississauga Centennial Civitans, St John Ambulance, St Andrew's Presbyterian Church, the Boys and Girls Club of Peel, Peel Regional Police and the Family Awareness Centre, as well as the Port Credit Business Association.

We invite people from around the Golden Horseshoe to join us for a fun-filled weekend at Riverfest. Discover Port Credit, Mississauga's dynamic village on the lake.

JOB CREATION

Mr Mario Sergio (Yorkview): One thing that is becoming painfully clear to many graduating students and unemployed people in this province is that despite the tax

cut the government's plan to create over 725,000 jobs simply won't happen. They won't even come close.

The latest unemployment numbers reveal that unemployment is increasing. The latest social assistance numbers are also increasing, and many students entering the workforce, looking to find either full-time or summer employment, are finding that hope and opportunities are fading.

This is the real deficit — the jobs deficit.

The Harris government's credibility rests upon its commitment to create 725,000 jobs by the end of its mandate. Yet with every projection, even when you factor in the tax cut, the numbers show this government will fall some 300,000 jobs short of reaching its jobs target.

This government should be taking the lead in job creation, putting forth a strategy which is designed to put young people back to work, while helping those on social assistance find the right skills necessary to find a permanent job. Until they do so, the real deficit — the jobs deficit — will continue to grow and any economic recovery will be hampered.

1340

NON-PROFIT HOUSING COOPERATIVES

Mr Peter Kormos (Welland-Thorold): This Conservative government launches yet another attack on families and communities by its abandonment — no, its sabotage — of cooperative housing here in the province of Ontario.

Across this province communities have worked together in the spirit of cooperativism and built homes for themselves and their neighbours and redesigned neighbourhoods and communities to provide safe and affordable places in which their children can grow up.

In Welland alone we have as many as 300 families living in cooperative housing. We have cooperative housing developments that now have been investing in their homes for 17 and 18 years. Yet this government, these Tories who have no interest whatsoever in the welfare of those same children and families and the sustenance of that same level of affordable housing have now abandoned — no, I say sabotaged, because we know what their goal is. Their goal is to see the privatization of cooperative housing, just as their goal is to see the privatization of Ontario Hydro, the Liquor Control Board of Ontario, education and health care.

Indeed we are witnessing an attack on the efforts of young women and men and their children as they worked and invested in their homes, as they built their communities. They, I tell you, are not going to tolerate this sort of attack. They are going to fight back and ensure, along with hundreds of thousands of other Ontarians, that this government never sees the light of day of a second mandate and doesn't persist long enough to continue its destruction of the assets of —

The Speaker (Hon Allan K. McLean): The member's time has expired.

HERSHEY CANADA YOUTH TRACK AND FIELD MEET

Mr Leo Jordan (Lanark-Renfrew): The sixth annual Hershey Canada youth track and field meet took place in

Smiths Falls on Saturday, June 8. Over 630 participants aged nine to 14 took part in the meet aimed at promoting a winning attitude and healthy lifestyle.

This year marks the first time that Ontario participants will be eligible to move on to Hershey's track and field youth program's first-ever North American final. Between five and 25 participants from Ontario will be flown to Hershey, Pennsylvania, for the national final weekend, as thousands of American participants have done since the meet began in 1975.

Ontario participants will be selected from four meets being held this year in Carleton Place, Nepean, Kingston and of course the one in Smiths Falls, the home of Hershey Canada. These participants will help make up the 60-member team to represent region 6, which includes several New England states, one of eight regions participating in the national finals.

I would like to thank Wilf Stephan and Pat Kilgore from the Smiths Falls plant, and the entire Hershey corporation for their dedicated support to youth programs both in Smiths Falls and across North America. I would also like to personally thank all participants, volunteers and sponsors for making Saturday's meet another huge success, especially Jamie Schoular.

The Speaker (Hon Allan K. McLean): The member's time has expired.

MINISTERIAL PERFORMANCE

Mr Dwight Duncan (Windsor-Walkerville): Given all their failures, we think some ministers ought to be put in summer schools.

What better example to teach our children than the image of education minister John Snobelen having to repeat his freshman year because he failed to meet the demands of the curriculum? Snobelen receives an F because he slashed school board budgets by \$400 million, without giving them the necessary tools to protect the classroom.

Snobelen could be joined by Dave Tsubouchi, who deserves an F for telling welfare recipients to barter for tuna and for approving a welfare regulation that threw thousands of disabled people off welfare.

An F for Jim Wilson for cutting health care by \$1.3 billion and for instituting user fees on the poor and seniors in this province to help recoup some of their own mismanagement.

Al Palladini has failed to maintain our highway infrastructure, cutting transportation funding at a time when our roads are in rapid deterioration.

Al Leach has failed to inform tenants of his true intentions with respect to rent control, so now they live in constant fear of losing their very basic rights.

Charles Harnick and Bob Runciman have failed to protect our justice system and our streets, cutting crown prosecutors and the size of local police forces, and proposing to stop prosecuting certain crimes like break-and-entry.

The entire Tory —

The Speaker (Hon Allan K. McLean): The member's time has expired.

MINISTRY OF TRANSPORTATION TRAVEL OFFICES

Mr Gilles Bisson (Cochrane South): To the Minister of Transportation and the rest of this assembly I would like to report that, as the minister knows, a decision has been made by his government, namely, by the Minister of Transportation, to close down the travel point offices of the Ministry of Transportation throughout all of Ontario and those small communities who frankly have just those offices in many cases to be able to get services from the Ministry of Transportation and others. For communities like Iroquois Falls, Smooth Rock Falls, Matheson and Englehart, it means those people, in order to get drivers' tests, will not be able to get them in their communities any more and will have to go outwards to places like Timmins and Cochrane to get them.

I want to remind the Minister of Transportation, it was a Tory government in the 1970s that in its wisdom said that you had to open these offices so that people didn't have to travel to communities like Timmins and Cochrane to get those services and that it made perfectly good sense back in the 1970s to do that.

Minister, you know and I know and the community knows there's not a lot of money to be saved by doing this. I ask the minister very simply to make sure that in making this decision they take into account what happens with those communities, because frankly, they'll be left high and dry and I don't think anybody's best served.

I also want to tell you, Minister, that the community of Iroquois Falls, through Mayor Graham and his council, is prepared to work with you to find solutions that will keep those services in the community of Iroquois Falls and even looking at the possibility of sharing some of the rent or giving up the rent in its entirety in order to offset your costs. Minister, give a care about Iroquois Falls, give a care about Matheson and let's keep those offices open.

EVENTS IN BOWMANVILLE

Mr John O'Toole (Durham East): It's a privilege to rise today to recognize an important historic event in my riding of Durham East. On June 2, I had the honour of attending the official opening of the Rotary park and dedication of the Colville Memorial Clock Tower in Bowmanville.

The Colville Memorial Clock Tower was erected in remembrance of three brothers: William, age 25, Alexander, age 28, and John Colville, age 24, from Bowmanville. The Colville brothers were killed in action while serving as pilots overseas in the Royal Canadian Air Force during the Second World War. The memorial clock tower is dedicated to their memory.

This monument is a lasting tribute to the Colville brothers. It is also a reminder that many members of our community unselfishly went off to the war to give all Canadians a future in our country.

Members of the Legion, cadets and former RCAF members from across Ontario attended the ceremony. During the dedication, a fly-past by three historic Harvard aircraft took place.

The Rotary park site was first developed in 1931 as a park and was used for carnivals and special events until

1948, when an arena was built on the site, until 1988. The park was the heart of Bowmanville and its sporting community. In 1991, I was a local councillor for this area and worked with members of the community to develop this area into a park to meet new community needs. On June 2, 1996, the Rotary park was officially opened. It's wonderful to witness the dream come true — like the Rotary motto, "Service above self."

STATEMENTS BY THE MINISTRY AND RESPONSES

CROWN FOUNDATIONS

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): Later today, I'll be introducing legislation to encourage the financial support of public institutions by individuals and the private sector through the establishment of crown foundations.

The Crown Foundations Act, 1996, will allow hospitals, libraries, cultural organizations and certain other public institutions which may qualify to establish crown foundations. It delivers on our budget commitment to encourage charitable donations to public institutions and to make it easier for these organizations to solicit donations. This bill allows the establishment of crown foundations by public hospitals, public libraries, the Ontario Cancer Treatment and Research Foundation, the Ontario Arts Council, the Royal Ontario Museum, the Art Gallery of Ontario and the Royal Botanical Gardens. Certain other public institutions may also qualify, such as the National Ballet of Canada, the Canadian Opera Company, the Toronto Symphony Orchestra, the Shaw Festival and the Stratford Festival.

I would like to acknowledge the presence in the gallery of many of the hospital and cultural institution representatives with us today, and I would like to thank them for their support.

Through this legislation, donations to these foundations will now receive the same treatment as donations to universities, which already have crown foundation status. Currently, when a taxpayer donates to these organizations, they can claim a credit of up to 50% of their income for each year. People who donate more than 50% of their income are not able to claim the full amount of the donation as a tax credit. However, when a taxpayer donates to the crown, the entire amount is eligible for a tax credit.

1350

Our budget announcement on crown foundations was enthusiastically received. The response we heard was that this was the right direction to spur new ways of obtaining public support and to give donors a sense of ownership.

I would like to thank my parliamentary assistant, the member for St Andrew-St Patrick, Isabel Bassett, who held extensive consultations on ways to make it easier for public institutions to solicit charitable donations. This bill is based on Ms Bassett's findings, and I want to thank her for her good work and efforts.

As the government restructures, we are giving public institutions another tool to attract gifts and donations

from individuals and the private sector. The Crown Foundations Act, 1996, encourages increased private sector support of these public institutions and the worthwhile services they provide to Ontarians.

Mr Gerry Phillips (Scarborough-Agincourt): I appreciate the announcement today, and I too welcome the volunteers in the gallery. I think they represent some of the very finest that Ontario has to offer and the organizations they represent do a terrific job for Ontario. I appreciate that they will need help in the years ahead.

I look at the government's plans on capital spending in the area of culture and citizenship, and I see that the government plans to cut its spending from \$42 million to \$6 million, so those organizations will need all the assistance that's possible.

The Ministry of Health is cutting its capital spending from \$249 million two years ago to \$167 million. The Ministry of Education and Training cut its capital spending from \$420 million to \$222 million. So the capital spending has been cut dramatically. The government already has announced that it plans to cut an additional \$500 million a year from now.

As I say, these organizations, the hospitals, the arts community, the Royal Ontario Museum, the Art Gallery of Ontario, all of them doing fine work, do indeed require all the assistance that we can provide. This will be helpful, I don't doubt it. But Ontario is changing very dramatically, where our organizations are going to be, and going to have to be, extremely aggressive about seeking charitable donations.

Mr Gilles Pouliot (Lake Nipigon): Competing.

Mr Phillips: "Competing," my colleague said. They are competing, because you now have given these organizations the same opportunity as universities and colleges, and universities and colleges are going to be very much competing for these dollars.

I was once chairman of a foundation, the Scarborough General Hospital Foundation. I have some appreciation of the challenges of raising money. But I guarantee you that these organizations are all going to be competing for a very limited charitable dollar out there. This will help them; they'll be able to compete better. But the pot is not going to suddenly get dramatically larger.

The government has cut, as you can see, the Ministry of Citizenship, Culture and Recreation from \$42 million to \$6 million; an incredible cut. The Ministry of Health is cut from \$249 million to \$167 million, with similar cuts planned next year, already announced, of \$500 million. So we are looking at an Ontario where it's been decided that some of these organizations that historically have been regarded as fundamental will need their funding from charitable donations.

The other thing the government has decided is that an increasing amount of its revenue will come from gambling. We see in the budget — and I mention this just because we are heading down a different track in Ontario — two years ago, the province raised about \$600 million from gambling; now it's \$1.3 billion, more than doubled, a dramatic increase, with 50 new mini-casinos opening up in the province. We are funding our services that historically we have said we will provide much of

the funding for from all of us — now it will come from gambling and from charity.

Perhaps that's the route we want to go, but it is happening because the government has decided to implement a 30% cut in taxes. We're seeing the implications of that for these organizations that are here today to support this move, and I understand why: because it will be helpful to them in raising money. But we are now saying to some of the organizations, "You head out and raise your money by going after charity," and that's a limited number.

Thank goodness we've got in Ontario organizations and companies and individuals who are prepared to donate significantly to charitable organizations, but increasingly we're looking to them and we're looking to people who gamble. I absolutely guarantee you that three and four years from now we will have a significant problem with gamblers in the province. You cannot raise now \$1.3 billion, up from \$600 million, and not expect to create some problems.

On today's announcement, certainly we will support this proposal, certainly we'll help our hospitals and many of our cultural organizations, but it is in my opinion a metaphor for the direction this province is heading in. I think we're going to find in two or three years from now people not all that pleased with the direction.

Mr Floyd Laughren (Nickel Belt): I agree with most of what my friend the member for Scarborough-Agincourt said, which I used to do occasionally even when he was on the opposite side. I actually welcome this announcement with some cautions to put forth to members of the assembly.

When we were in government we established foundations in the Ministry of Colleges and Universities in an attempt to get some money into that sector, so it would be passing strange for us to be opposed to the expansion of this to these other sectors — not that contradictions are unknown in this place. I simply say to the Minister of Finance that he's not going to fool anybody if he thinks he can stand in his place and pretend that by moving towards foundations and allowing people to write off 100% of their income for the equivalent donation to these foundations, he has somehow made a commitment to the funding of these institutions. Nothing could be further from the truth.

When I was looking through the list at some of the cuts that have been announced over the next little while, the first one I came to of course was hospitals, where they've announced a \$1.3-billion cut in the next three years. That's a lot of foundation money to take the place of that \$1.3 billion. We know it won't happen. Libraries, \$10.6 million — proportionally, that's a huge cut. It's about 20% of funding to libraries, and I'm not sure what a foundation does for a library that doesn't exist any more because of the cuts.

When this government was picking on the ministries where they would make the biggest cuts, they knew what they were doing. They knew which ministers would roll over and do as they wished, including the Minister of Citizenship, Culture and Recreation at the cabinet table and the Minister of Natural Resources at the cabinet table. They knew who would roll over and not object to the very severe budget cuts in some particular ministries.

The Ontario Arts Council, a \$12.1-million cut; the Royal Ontario Museum, \$2.1 million; the Art Gallery of Ontario, \$1.2 million; the Ontario Science Centre, \$700,000; the Royal Botanical Gardens, \$175,000. That's of course not an all-inclusive list.

While the minister wants to put a good spin on this, as I said, I don't object to the establishment of these foundations as long as he's not pretending that it's more than that, as long as he's not trying to pretend that this will replace the very severe funding cuts that have occurred to many of those same institutions. That simply won't work.

While I too appreciate the presence in the gallery of some very important people to the life of this province, I suspect that as time goes by, while they will appreciate this, and I do too, they won't be fooled by the very substantial cuts that are taking place by this government. You cannot talk about building a better Ontario while you go about dismantling it at the same time. People are not going to be fooled by that.

The health of a province is not simply in the amount of revenues or the amount of debt it has, it's also in the quality of life in the province. That's where many of us part company with this government. You feel you can cut whatever you like simply to feed that insatiable appetite for the tax cut that you and your good friends have. That's what at the bottom of every single cut that's taken place in public services: the tax cut. It's got nothing to do with the deficit, absolutely nothing to do with the deficit. If you were preoccupied with the deficit —

Hon Mr Eves: You increased the debt from \$32 million to \$100 million.

Mr Laughren: Don't give me that hooley. If the Minister of Finance cared a jot about the deficit he would not be doing the tax cut. If you were serious about the deficit, you wouldn't be doing the tax cut, and you know that. That's what the rating agencies are telling you. That's what thoughtful people in this province are saying. This government cannot possibly be serious about the deficit when they take that amount out of revenues in the form of tax cuts. You're not fooling anybody as to who's getting the benefit of that tax cut either.

As I said at the beginning, I don't disagree with the extension of foundation status for these institutions. Simply stop trying to kid the troops.

1400

ORAL QUESTIONS

TORONTO TRANSIT COMMISSION

Mrs Lyn McLeod (Leader of the Opposition): My first question is for the minister responsible for the greater Toronto area and the Minister of Municipal Affairs. As you know, transit integration was one of the recommendations contained in the Golden task force, and quite clearly the effective operation of the TTC is one of the keys to any integration plan.

Yesterday your colleague the Minister of Transportation said the Toronto Transit Commission was "the worst transit system in the country." I ask you, is that the case? Does the Minister of Transportation know what he's

talking about? Is the TTC the worst transit system in the country?

Hon Al Leach (Minister of Municipal Affairs and Housing): My understanding is that this morning my colleague and good friend retracted or corrected his statements of yesterday, and I think the statistics on the TTC speak for themselves.

Mrs McLeod: I'm not surprised that the Minister of Transportation tried to soften his statement a little bit, take his foot somewhat out of his mouth, because I don't think the minister had any evidence at all that there was rampant waste in the TTC. I think he was saying whatever came into his mind at the moment to defend a bad decision to gut the funding of the TTC.

It was equally clear that your colleague the Minister of Transportation, making bad decisions, gutting TTC funding, had absolutely no idea about the economic impact of the decision he was making. You may be aware that I asked the Minister of Transportation yesterday how many jobs would be created by the completion of the Sheppard subway project. He had no idea and made a guess of some 2,000 jobs.

As a Toronto member in the cabinet, as the minister responsible for the greater Toronto area and hopefully concerned about its economic growth in future, why didn't you tell the Minister of Transportation that this project would create some 43,700 direct and indirect jobs? Why didn't you let him know how important this project was to the future of Metro Toronto and the greater Toronto area?

Hon Mr Leach: My colleague knows how important this project is and that's why we're funding it to the tune of \$511 million. But I think my colleague is also correct that in any organization with close to 10,000 employees and a budget of close to \$1 billion, there are efficiencies that can be made at any time. I know that the staff of the TTC are working on those efficiencies. Every organization should continue to strive to improve itself, as the TTC does on a continuing basis.

Mrs McLeod: I'm sure you're aware that as we speak in the House today, Metro is deciding the fate of the Sheppard subway. They are not going to be facing decisions related to finding some efficiencies in what your colleague has described as the worst transit system in the country. They are facing a decision forced on them by the fact that your government has cut \$117 million from the Sheppard subway project and has cut another \$100 million from their repair budget.

You are in a position to know the kind of decision facing Metro this afternoon. You know your government has forced them into an impossible kind of decision where they have to choose between expansion that they believe is needed and the necessity of having a well-maintained system for the safety of the public who ride that system.

You know there are some 43,000-plus jobs at stake here. I'm sure you are aware that the unemployment level in Metro has already increased from 8.9% to 9.5% in the last year alone. I'm sure you must be aware that this cut is incredibly shortsighted, that Metro Toronto needs the subway expansion because it needs the economic development and the jobs that would come with that, and it

most definitely needs those 43,000 jobs that would come with that Sheppard subway construction and follow from that.

Minister, will you jump on that subway right now? Will you go down to Metro Hall? Will you tell them that your colleague the Minister of Transportation has made a mistake, that he was wrong to gut the funding for the TTC capital and repair budget? Will you do what you can at this last minute to save the Sheppard subway and all the jobs that project means?

Hon Mr Leach: There's absolutely no need for me to make that trip, because this government is committed to the building of the Sheppard subway. We are providing \$511 million in capital funds, which we think is sufficient to cover our share. We are also committed to provide 75% funding for the state of good repair. I've talked to the TTC staff personally about it. I know it can be done. I know, with the expertise they have in that organization, they will strive to meet the challenges that face them with the funding constraints we have. But we are committed to the Sheppard subway, and the jobs the member across refers to will be there and will be carried out, and the development that's going to take place in North York will be there and will be carried out.

YOUNG OFFENDERS

Mr David Ramsay (Timiskaming): I have a question to the Solicitor General. There is a new pattern of law enforcement in Ontario since Robert Runciman took over as the top cop and the chief jailer. Within the first 10 months of his administration, there has been a more violent and aggressive tone to how our law enforcement officials have acted in this province. From Ipperwash to the riot squad activities at Queen's Park to the recent Elgin-Middlesex beatings of our young offenders, you have established a new standard of law enforcement behaviour.

There are yet many unanswered questions as to what went on at the Elgin-Middlesex Detention Centre, and the reason for this is that you have not been totally forthcoming with all the information you have in your possession.

I have a copy of the medical records of one of the young offenders who was transferred to that institution on March 1, and not until March 6 was that young offender seen by a nurse. It would appear that the officials there at that centre had denied those young people medical attention.

It is very important that the minister release the second part of the Ontario child advocate report so the people of Ontario have the complete picture as to what went on at that detention centre on March 1. Minister, would you release that report?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): With respect to the way the member led into that question, I think most Ontarians would find it offensive in terms of reaching conclusions related to both the Ipperwash situation and the Elgin-Middlesex questions. There certainly are very serious allegations surrounding both those incidents, but to suggest they are a fait accompli, he's already found these people guilty, and I think most well-meaning Ontarians would find that kind of conclusion offensive.

With respect to the question surrounding the medical treatment or lack thereof, I indicated on a number of occasions that there is indeed going to be a thorough investigation of the treatment of young offenders to determine if those allegations are true. If that is the case, I think we will see, at the end of the day, charges laid. There is a criminal investigation under way, there is an internal investigation under way in terms of how the ministry responded throughout all of this process, and I think the actions taken are appropriate.

1410

Mr Ramsay: That really has nothing to do with releasing the report, and we in the Legislature and the people of Ontario ask for that immediately.

Yesterday, one of the mothers of one of the young offenders involved in that incident said in a radio interview that she had phoned your office, and I quote, "many, many times, begging for help because I knew of all the abuse that my son and others were taking."

Minister, I know, because I've been in your situation as the Minister of Correctional Services, that when a personal staffer receives such a call, the first thing that happens is that the staffer basically warns the minister that something serious is afoot in his ministry. Do you still stand in your place today and deny that you knew of that incident; when young offenders were beaten at the Elgin-Middlesex Detention Centre on March 1, that you didn't know until the end of May of this year?

Hon Mr Runciman: I guess this is a back-door suggestion that I lied, and I think, hopefully anyway, the member knows me better than that. He may not always agree with me, but I think he knows that I am an honest person. Certainly when I have indicated that I was not aware of these matters until last week with respect to the allegations related to maltreatment of young offenders, that's the truth and nothing but the truth.

With respect to the suggestion by a mother that she made numerous calls related to treatment of her child, I want to say that we have searched our logs with respect to calls and there were significant numbers of calls. The member will remember this was during a labour dispute and we were dealing with enormous numbers of calls. We had one recorded call logged with respect to concern about treatment of young offenders following the Blue-water incident and the response from the parent in that particular situation was satisfaction with the response from the ministry team.

Mr Ramsay: Today I'll have to accept the minister's word on that. It only begs the question then that there is gross incompetence in your running of that ministry if you did not know for that length of time about an incident that serious.

I want to return to the events of last weekend at the Elgin-Middlesex Detention Centre. The minister said that his officials were there gathering information as part of his own investigation. This, I'd like to add, is while the police investigation is ongoing.

Minister, I have a copy of a letter that you sent to Chief O'Grady back in April 1993 in regard to the famous John Piper affair. At that time, you were very concerned that John Piper entered his office over the weekend to remove some files while there was a police

investigation ongoing and you stated in your letter that you were very concerned about the potential for obstruction of justice.

Do you not think that authorizing some of the very same people who were involved in this incident to be going through the records over the weekend constitutes a conflict? If this is not total, gross incompetence, wouldn't this type of action during a police investigation constitute an obstruction of justice?

Hon Mr Runciman: I haven't changed my views with respect to the position I took related to the Piper investigation: I felt that was inappropriate. I indicated yesterday that I share the concerns of the member from London who raised these allegations in the House yesterday. Today I've asked the Attorney General to assign a senior legal counsel to assist in the internal investigation to ensure that all of these matters are looked at and thoroughly investigated.

There's some irony in the member for Timiskaming raising this issue, and I think he may have something of a short memory. I want to read from a 1988 column by Lorrie Goldstein in the Toronto Sun:

"Corrections Minister David Ramsay said yesterday he's dissatisfied with the way his ministry originally handled serious allegations of sexual harassment against senior ministry bureaucrats." I'm condensing this. "Ramsay said he plans to issue another directive stipulating his office should be notified in writing whenever such allegations are received through the deputy minister's office or the ministry's human resources branch."

I think it's quite ironic that this member is rising in the House today to question my competence, when he had more serious allegations with respect to advice given to the deputy's office which he was not made aware of.

The Speaker (Hon Allan K. McLean): New question, third party.

Interjections.

The Speaker: Order.

Mrs Marion Boyd (London Centre): My question too is to the Solicitor General. I think, given what's just gone on, it's important for us to review the facts surrounding this whole issue at Bluewater and at Elgin-Middlesex.

On February 29, 52 youths were transferred out of Bluewater following the riot; 40 of those were transferred to Elgin-Middlesex Detention Centre, where they allege they were subjected to threats and physical assaults. On March 4, the child and family advocate who was investigating the incident at Bluewater informed your acting deputy minister about those allegations and about her concerns. According to her report, the young people had been prodded, struck, kicked, and there had been resulting injuries. On April 11, 1996, a correctional officer sent a letter to the superintendent at Elgin-Middlesex alleging that assaults had occurred and referring to staff fears about retaliation if those allegations were made public. Other staff reinforced both those allegations and the concerns which made staff hesitant to report at the press conference that OPSEU held last Friday.

Your ministry's protocol requires that management call in police to investigate whenever there is an allegation of criminal wrongdoing, and they specify particularly in the case of physical assaults. Calling in the child and family

advocate does not relieve the ministry staff of that obligation. It is not an alternative or a substitution for calling in the police.

Minister, I ask you very directly: First, why didn't the superintendent at EMDC contact the London police on April 11, as he was required by policy to do? Second, why didn't your acting deputy minister contact the London police on March 4, as he also is required by policy to do? Third, why did your ministry wait until May 31 to ask the police to investigate?

Hon Mr Runciman: I've been over this ground but I will reiterate what occurred. The child advocate did discuss her concerns with the acting deputy minister. Also, we have to put this in the context that there was an investigation under way by the OPP. In fact, the advocate had discussed her concerns with the OPP and subsequent to that discussed them with the ADM, who encouraged her to pursue a very thorough, in-depth investigation of her concerns, which she did.

I think the member is forgetting there was an OPP investigation. There are certainly questions that can arise now about that particular investigation, but to suggest that the procedure wasn't followed with respect to an investigation denies the fact that there was an investigation under way at the point that she initiated her own investigation.

Mrs Boyd: The minister is quite aware that the events we're talking about occurred within the jurisdiction of the London police, not the OPP. That is not a sufficient answer to why the police in whose jurisdiction these allegations took place were not called. We need a further explanation, particularly about the acting deputy minister's role in this whole incident.

Deputy ministers, and by extension acting deputy ministers, are jointly responsible to the secretary of cabinet and to the Premier. They report directly to those two individuals. I ask you, Minister, did the acting deputy minister communicate with the secretary of cabinet or anyone in her office to report this incident at any time prior to May 31, and did he communicate with anyone in the Premier's office?

Hon Mr Runciman: I'm not aware that any communication of that nature occurred.

1420

Mrs Boyd: That definitely speaks to what is going on in terms of the chain of command, in terms of people following what the procedures are. These are very serious allegations of the beating of young people within the care of the ministry. We've had too many examples in the past of people within the institutional care of this government being treated in a way that is not appropriate. It's extremely difficult for all of us to accept that you are content, first of all, that your acting deputy minister did not communicate with you; that you seem content that your acting deputy minister did not report, as is required by protocol, to his direct superiors, the cabinet secretary and the Premier; and that you seem quite content that all of this was allowed to slide for three months while these young people continued in the care of your ministry and continued to be in the same facility where these allegations occurred.

Minister, I ask you again — you're the one who's responsible — can you explain to us how this could have happened?

Hon Mr Runciman: There's three points the member raises. She suggests I'm content with the failure of the reporting protocol, and I've indicated pretty clearly, I think, that I am not happy with it at all, and certainly this is part of the internal investigation, to determine what happened with respect to a breakdown in the requirements of that protocol.

She also indicates that we allowed this to slide for three months, which again is totally inaccurate. The child advocate was on the scene on a regular basis and has indicated to me personally that she was quite satisfied with the level of safety for the young offenders in the facility during that period of time. The member's own office contacted the advocate yesterday with respect to those kinds of questions, and she didn't want to accept the answer from the child advocate.

There's no question that there are serious concerns, serious allegations around this. We have the London police in looking at the criminal allegations. We have an internal investigation headed by Inspector Ken Christopherson, who is now going to be assisted by senior legal counsel from the Ministry of the Attorney General to look at all these areas, including the issues raised in this House yesterday.

The Speaker: New question. To what minister, the member for London Centre?

Mrs Boyd: To the same minister, Mr Speaker.

You are quite correct that you encouraged me to talk to the child and family advocate, and I did so. I certainly got a very different message than you're suggesting. However, let that be as it may.

When you first spoke to the House, you talked about having every confidence that the ministry had acted appropriately and had handled the allegations in a professional manner. Yesterday, when you were talking to the press after the House, you said, "I think the original concerns were addressed appropriately, but the actions that have been raised with respect to other officials within the ministry after the fact are serious indeed."

You went on to say, "I'm not justifying what went on there, because I have some very serious questions about happened, why it happened and exactly, you know, who was involved. But certainly there was information-gathering within the ministry on the weekend to deal with this issue. Now, if that was part and parcel of that, I think it went well above and beyond what I would call appropriate."

Then you went on to suggest to the press that you were continuing to look at this matter, that you expected to make a statement in the House today. It was a surprise to us, frankly, that you did not make a statement to this House. You had said yesterday that you would release to us the names of the investigating team and that you would reassure us that none of the people on the investigating team were in any way connected to the EMDC when these allegations occur.

You are responsible for the actions within your ministry, and this is the essence of ministerial responsibility.

I suggest to you that you're not carrying out those ministerial responsibilities as you ought to, and I ask you how we can have confidence in you and your ministry that you will get to the bottom of what exactly has happened at Elgin-Middlesex and what involvement the staff of ministry may have had in this coverup.

Hon Mr Runciman: I'm sure it'll be a rainy day on the Sahara before I have the confidence of that group over there. In any event, I want to say that Inspector Ken Christopherson, who's the manager of the internal investigations unit, is setting up the investigation, and he's available. If the member has any other allegations or concerns, she can certainly contact Inspector Christopherson directly and share those concerns with him.

Also, I've asked the Attorney General today to appoint a senior legal counsel to assist Inspector Christopherson with this investigation and to ensure that all the areas of concern that have been raised in the public press and in this Legislature will be thoroughly and adequately addressed.

Mrs Boyd: The minister continues to puzzle me in that he wants to make this a partisan situation, and we're doing everything we can not to make it a partisan situation but to try and get to the bottom of what the situation really is.

The minister says he continues to have confidence. He did tell us yesterday that he would name all the people on the investigating committee and he would assure us that none of those people had been seconded to EMDC at the time of the incident. I do not believe that the minister has in fact released those. We called the office this morning and asked for those names. They said they would call us back before noon. They have not done that. I wonder why, and I wonder if what we are seeing is what we suspect is happening, that this investigation is partially being done by people who are implicated in the issue.

If that's not so, all we're saying to the minister is that it's important, if you are to maintain the confidence of the people of Ontario, particularly young offenders and their families, in your ability to care for them when they're in your custody, for you to answer this kind of question and to be very clear that we have a right to ask that. It is absolutely strange to me that you appear to be hesitating to assure us that there is no conflict of interest within the investigating team and that you can give us reason to have confidence in those people; that you're prepared to name them and that you're prepared to talk about what their terms of reference are and how they have been instructed to carry out their investigation.

Hon Mr Runciman: I'm pleased to give the member assurance with respect to conflict of interest, and I'll make sure that she's provided with name, telephone number and all the details she requires before the end of question period.

Mrs Boyd: I should tell the minister that I believe it should be made public to everyone, and certainly if he makes it available to me it will be public to everyone.

The situation just continues to spread. This is not an isolated kind of thing. The London Free Press headline today: "More Allegations Surface of Paper-Shredding at Jails." It's quite clear from what we read in the Free Press that another allegation of shredding has taken place

at the Bluewater correctional facility over the weekend, last weekend, the past weekend since you became aware of this.

It was reported that Bill Bell, the president of the union representing about 160 staff at Bluewater, said, and this is a quote from the newspaper article confirmed, I should tell you, by Mr Bell:

"The shredder was definitely going. You never see these managers come in on Saturdays, but they were there and they were definitely shredding documents."

He added further: "During an investigation like this, it's hardly the time to be shredding documents. Are they trying to cover something up or what?"

Minister, the concerns are growing. There's an appearance of a coverup. You have not been in control of this matter from the beginning. You do not appear concerned that people in your ministry prevented you from knowing what was going on so that you could take control of this matter. Why are you permitting this situation to continue?

Hon Mr Runciman: To suggest that I'm not concerned is ludicrous. I have indicated in very strong terms my concern over the allegations with respect to this matter.

In terms of urgency, I think my request to the Attorney General today indicates the sense of urgency that I feel and the government feels with respect to moving this investigation along quickly and with great attention to all the concerns that have been laid before us and certainly before this Legislature. I think the matters are being handled in an expeditious way. I indicated earlier, with respect to the allegations surrounding the treatment of young offenders, that yesterday I received the very clear assurances of the child advocate that ministry officials, in her view — an independent, third-party view — handled that matter in an effective and efficient way.

1430

OVERTIME PAYMENTS

Mr Sean G. Conway (Renfrew North): My question is for the Chairman of the Management Board. I want to come back to a discussion the chairman and I had in this assembly about five weeks ago. It concerns one particular overtime payment the Ontario government has made to a senior manager at the Penetanguishene Mental Health Centre during the five-week public service strike earlier this year.

Minister, let me just review for your benefit and the benefit of the assembly what are now the agreed-to facts: that one senior manager at the Penetanguishene Mental Health Centre, whose regular salary is approximately \$150,000 annually was allowed to claim \$50,500 worth of overtime in a five-week period. Minister, \$50,000 of overtime in a five-week strike means that this individual, whose annual salary is \$150,000 at least, was billing and was paid \$10,000 a week in overtime, or he was billing and was being paid \$1,400 a day in overtime. How is such a scheme possible in Ontario in 1996?

Hon David Johnson (Chair of the Management Board of Cabinet): I wouldn't call it a scheme, but what happened was that there was a strike and as a result of the strike there was a very low level of staff available at this institution and all other institutions. There are people

who are living at this psychiatric hospital who need support and the support that was available was very minimal. The person in question and many of the other staff, I might say, were needed around the clock for the psychiatric patients of this hospital — they have needs. Indeed, there were many concerns coming in from the general public, from various organizations with regard to the health and safety of the people at these psychiatric institutions.

The payment to this individual that the member is referring to, and another individual, was based on straight time; it was based on the number of hours they put in in excess of 44 hours per week. That included Saturdays, it included Sundays, it included evenings, it included midnight work, right around the clock, seven days a week, through the full five-week period. If you work that out, as strange as it may seem, as much as it may seem, the amount in this particular case amounted to about \$50,000.

Mr Conway: I think all reasonable people would accept and understand how in this circumstance some level of overtime would be both required and justifiable, and I'm certainly in that category. I understand how a senior manager would be in receipt of some reasonable overtime, but we're talking about a manager whose annual salary is at least \$150,000 a year; we're talking about a health facility that was not abandoned by all its staff — the essential services agreement provided a quite good level of staffing, which we would understand — and we understand there was not a particular problem on that picket line.

I want to come back, though, to the essence of this case. We have a guy who's been paid \$1,400 a day in overtime. It is unbelievable. It is outrageous. It is indefensible. Any manager who's ever run any public or private sector operation would know that if you were faced with special circumstances, you would craft a special overtime arrangement that would not allow, as you have allowed in this situation, for this manager to claim overtime for every waking and sleeping moment that individual lived during the course of a 35-day strike.

The taxpayers of Ontario have a right to know what you are going to do about this violation of common sense. Some overtime, yes, but this level of overtime, \$50,000 worth for 35 days, is absolutely unbelievable and unacceptable.

I say in my final question, on behalf of the taxpayers and probably on behalf of the member for Simcoe East, what are you going to do to claw back some of this \$50,500 that is absolutely necessary if you're going to have any credibility as a manager in this province today?

Hon David Johnson: First of all I assure the taxpayers of Ontario that the expenditures at this institution and right across the civil service were considerably lower during this period, particularly the payroll at this institution, the psychiatric hospital. Each payroll was half a million dollars lower than it would have been during a normal period of time, so there was a considerable amount of money saved or expenditures that were reduced. Through the whole strike some \$150 million in taxpayers' money was saved.

People worked overtime, people worked 24 hours a day, people worked on Saturdays, people worked on Sundays — and the individual who is being referred to was not a manager; the individual was a chief psychiatrist, a specialist who was required. The staffing level, contrary to what the member is saying, was not considered acceptable by this government. We advocated for a higher level of staffing. The staffing level was not considered adequate by anyone who had anything to do with these institutions. These people worked around the clock, beyond 44 hours. They were paid straight time, and the taxpayers saved a great deal of money as a result of the whole exercise.

YOUNG OFFENDERS

Mrs Marion Boyd (London Centre): My question is to the Solicitor General. Yesterday in response to my question you advised me to contact the office of the child advocate, and I understand your ministry officials had encouraged her to contact me. She is in London today, and we spoke this morning. She confirmed, as you thought she would, that she was very pleased with the conversation she had with you yesterday, that she thought the assignment of an experienced person from the institutional abuse section of the Ministry of the Attorney General was a positive step and that she thought you understood her concern about the fears of young people around talking to the police, given what had happened to them, so I confirm that's quite correct.

I asked her a specific question, whether it would be any breach of confidentiality, as guaranteed under the Young Offenders Act or any other act, if both her reports, the one on Bluewater and the one on Elgin-Middlesex, were released. She agreed there would be no breach of confidentiality, that those reports had been written for public consumption.

Will you commit today to releasing both those reports this afternoon?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): That is a change of opinion on the part of the advocate. Last week when I indicated in the House, to an interjection about releasing the report, that I didn't see a problem with that, the advocate immediately contacted my office and indicated that she had concerns. During our discussion yesterday she indicated those concerns as well and said that she felt perhaps a summary of the first report would be appropriate.

Subsequent to that, officials in the legal branch of my ministry have spoken to officials within the Ministry of the Attorney General, who have serious concerns with respect to a release of that report.

Mr Floyd Laughren (Nickel Belt): When are you going to take charge?

Hon Mr Runciman: Well, we have to ask for that kind of advice — I'm sure the members appreciate that — with the possibility of criminal proceedings. I have to accept the advice, as I'm sure that member, a former Attorney General, would appreciate.

Mrs Boyd: Minister, that was the same kind of advice that was given in the 1970s around the investigations that went on in St John's, St Joseph's and Grandview.

I think you need to understand that we're in a different era; we're in an era where these things are considered to be very important. Quite frankly, you're contributing to a coverup in this situation.

The advocate is saying that the names of young offenders are not mentioned in those books. If what the Attorney General's ministry is worried about is liability, I can assure you that our experience with St John's, St Joseph's and Grandview and many other situations is that liability simply grows as time goes on. Put some fresh air into this situation and allow people to know what went on. Make sure there are no more coverups, such as there were under a Conservative government in the 1970s with which we are still trying to cope 20 years later, and make this matter public. Release those two reports, Minister. Promise us in this House that you will.

Hon Mr Runciman: I'm not going to get into responding to the political rhetoric. I will commit to revisiting this issue based on the new view of the child advocate.

1440

AGRICORP

Mr Dan Newman (Scarborough Centre): My question today is for the Minister of Agriculture, Food and Rural Affairs. As the member for Scarborough Centre, an urban riding in the greater Toronto area, I thought it important for me to familiarize myself with the needs and concerns of all of Ontario. That is why I have chosen to become involved in the Ministry of Agriculture, Food and Rural Affairs's advanced agricultural leadership program, an MPP exchange program which teams urban MPPs with a farmer for a day at Queen's Park and then a day on a farm.

More than a dozen members of the government side of the House are taking part in this exchange, and I commend each of them for taking part in this initiative. I am pleased to bring to the attention of this House the fact that my exchange partner, Mr Kevin Kale, a cash cropper from Seaforth, Ontario, whose 300-acre farm grows soybeans, corn and wheat, is joining us in the members' gallery here today.

By coincidence, just yesterday the agrifood and rural business bill was being debated in this House, and the members opposite brought up different concerns about this bill. One of the concerns brought up in this issue is that of AgriCorp's broad mandate.

The Speaker (Hon Allan K. McLean): Put your question.

Mr Newman: The members opposite objected to that mandate being too broad and wanted to restrict the ability of this new farmer-run agency to help farmers of Ontario.

I wonder if the minister could tell me why he wants to put —

The Speaker: Question, please. Put your question.

Mr Newman: — farmers themselves in charge of delivering farm programs.

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): I want to thank my colleague from Scarborough Centre for the question regarding Bill 46,

and I want to welcome his farmer to our Legislature. I'm sure my colleague will find it most interesting when he leaves Scarborough Centre and goes out to the farm. I'm sure it will be a learning experience for him.

Part of Bill 46 of course creates the AgriCorp corporation, and we want to give AgriCorp the tools and the ability to run the different programs the government will mandate for it. It will also give it the flexibility to run the programs on behalf of the farmers regarding the safety net and the crop insurance issues. As we've told our agrifood sector, we will consult through every step of the process, but one thing we will not move from is that AgriCorp will be run by farmers.

Mr Newman: Yesterday, the member for Essex-Kent raised some concerns with regard to a clause in schedule A of Bill 46, a clause which he says deals with user fees. The member even went so far as to suggest the bill should perhaps be amended to remove this clause. Could the minister tell this House how he responds to this concern?

Hon Mr Villeneuve: As I've mentioned on other occasions in the Legislature, an AgriCorp was brought forth by a Liberal government; an AgriCorp was brought forth by an NDP government. An AgriCorp is brought forward by a Progressive Conservative government and it will become a fact of life, better than the other two parties.

Interjections.

Hon Mr Villeneuve: They do not want farmers to run their business, and I'm very concerned about that. We will see, as we further debate Bill 46, that AgriCorp and Bill 46 are a very positive step to help agriculture and our food producers.

MINISTRY OF ENVIRONMENT AND ENERGY STAFF

Mr Rick Bartolucci (Sudbury): My question is to the environment minister. Minister, yesterday in response to my colleague the Liberal environment critic, you stated that you are downsizing your ministry in order to focus your resources by sticking to core business.

In November, the Premier of this province presented biologist Bill Keller from Sudbury with the prestigious Amethyst Award for outstanding work in the core business of lake and water restoration caused by acid rain. In this one individual you have the knowledge, the expertise and the efficiency for future water restoration that is unprecedented, as attested to by numerous world-renowned scientists.

In May, not only did you close regional offices, you sank Bill Keller with a pink slip, outraging the world environmental community and sending out the message that water and lake restoration and enhancement are not core business for this government.

If you won't rescind the pink slip to Bill Keller, as we have asked, will you tell the House and the international environmental community today how many water quality scientists of Bill Keller's calibre will be located in Sudbury monitoring and restoring the lakes in and around northern Ontario?

Hon Brenda Elliott (Minister of Environment and Energy): There are a number of files ongoing in our ministry from time to time, and I believe I said yesterday that one of the things I have come to know as a minister is that there are many highly qualified individuals working in our ministry, scientists recognized worldwide for their contributions to many different fields.

The member opposite is asking me a question about the employment status of an individual within the ministry, and I said yesterday that when tough decisions are made — in fact, there were two offices in Sudbury. We have determined to close one of those offices, and in the downsizing that is occurring this gentleman being referred to has received a layoff notice.

There is a collective agreement in place. I would like to know if the member opposite is indicating that I as a minister should interfere in that collective agreement and the employment procedure that is in place by law. I suspect that if I as a minister or any other individual did interfere in the collective agreement process, in the bumping procedures that occur, the hue and cry from across the way would just be howling.

Mr Bartolucci: No, I don't think she should get involved and interfere in collective agreements, but yes, I think as the Minister of Environment and Energy she should interfere and make sure the environment is protected.

That comment and the minister's comment yesterday in the scrum, that acid rain is not a top priority but water and air quality are, remind me a whole lot of the comment made by former US Vice-President Dan Quayle. He said, "It's not pollution that's harming the environment, it's the impurities in our air and water that are doing it." Minister, you sound a whole lot like Dan Quayle.

I doubt your fellow caucus members such as the member for Parry Sound or the member for Victoria-Haliburton or the member for Muskoka-Georgian Bay would be telling their constituents and agreeing with you that acid rain isn't a top priority. Clearly the tourist industry is affected. Active and passive water recreational activities are affected by acid rain. Indeed the economies of several regions in both northern Ontario and southern Ontario are affected by it.

As the environment minister, and without sounding any more like Dan Quayle, would you please tell the House what your definition of acid rain is and how it differs from air and water pollution?

Hon Mrs Elliott: I'd like to remind my colleague across the way that it was in fact a Progressive Conservative government that signed the first acid rain agreement with the United States. I would like to remind the member across the way that we just recently released a document about acid rain, the 1994 progress report submitted by the four major sources of sulphur dioxide in Ontario. These emissions were 46% below their targets, an excellent reduction. In addition to that, 10 million tonnes of sulphur dioxide emissions have been reduced as a result of the US Clean Air Act of 1990.

Action is being taken on this file. Action on acid rain is happening in this province. It is not dependent on one person. It is the result of hard work by many people in my ministry and throughout this province.

1450

HOUSING CONSULTANTS

Mr Gilles Bisson (Cochrane South): My question is to the Minister of Municipal Affairs and Housing. Minister, I want to ask you a fairly simple question. Do you think it is appropriate for a senior manager of your ministry to encourage clients of —

Interjection.

Mr Bisson: The question is to the Minister of Municipal Affairs. There we go. We got him.

Do you think it's appropriate for a senior manager of your ministry to encourage clients of the Ministry of Housing to deal with a specific private sector consulting firm in the social housing development field?

Hon Al Leach (Minister of Municipal Affairs and Housing): No, I don't.

Mr Bisson: That is certainly somewhat of an assurance, but I have here a letter dated June 5 on ministry letterhead that is from the regional manager of the eastern regional office of your ministry, who specifically — and I won't go through all of the letter because it's fairly long, but just to pull out a certain excerpt, what it says here is: "The purpose of my writing is to encourage your corporation to consider the services available from Pro-Shelter Inc. Many of you will have worked with these individuals and would know why I am recommending them to you."

Minister, is it appropriate for a regional senior manager of your ministry to encourage the clients of your ministry to deal with a particular private sector firm? Is this the kind of business relationship with the private sector that your ministry and your government are trying to encourage?

Hon Mr Leach: To the member opposite, I'm not aware of the details of this situation. I've just been given a copy of the memo. I would like to have an opportunity to look into it and I'll respond directly to the member in the House.

GOVERNMENT OFFICE SPACE

Mr Jim Brown (Scarborough West): My question is to the Chair of Management Board. The previous government rented tens of thousands of square feet of office space that it didn't need. Much of this space was empty when we took office and still is. Have you considered any economic method of utilizing this space?

Hon David Johnson (Chair of the Management Board of Cabinet): I would like to thank the member for Scarborough West. He is correct that indeed the government, when we took office, did rent some 11 million square feet of office space. We own another 13 million square feet of office space. The cost to the taxpayers of the province of Ontario of the leased space is about \$200 million a year.

Interjections.

Hon David Johnson: Yes, a good amount, or some of the space, is empty. This government is set on a course of doing better for less, so we are looking for opportunities to use this space more efficiently, opportunities to restructure, to downsize and to free up space and reduce

costs. Our plan is to consolidate staff, to use the space more efficiently, to vacate some six and a half million square feet of office space and to save the taxpayers \$60 million a year as a result.

Mr Jim Brown: There are empty buildings in my riding that are owned by the Ontario government, and residents are concerned. How can we help in doing something with these properties?

Hon David Johnson: Again, there are empty buildings. Some of the buildings will be sold. We have recently sold 801 Bay Street, as one example. Our preferred course in dealing with vacant space or empty buildings is to work with the local municipalities, the local merchants, the local MPPs. The building in Niagara Falls is a case in point, where there are ongoing discussions and I hope that as a result we will find a good use for that community and put that building to good use.

In the case of Scarborough and Scarborough West, my understanding is that indeed there is some vacant space. The Ontario Realty Corp has been working with the city of Scarborough and we're in the early stages of working on some of these properties with the possibility of rezoning the properties, with the possibility of selling some of the space. I'm very pleased the member for Scarborough West has taken an interest in this. His input will be invaluable. I think we can work together with Scarborough and with the member to put this space to best use for the taxpayer.

AGRICORP

Mr Pat Hoy (Essex-Kent): I want to put this question to the Minister of Agriculture, Food and Rural Affairs and help the member for Scarborough Centre, who was quoting the remarks I made yesterday on Bill 46. Minister, the member from your side was asking whether you would withdraw a certain part of the act. That part I was questioning yesterday, that your own member wants to know about is, "Providing for the collection of the levies or charges by AgriCorp, the corporation to which they are payable or any class of persons." I know your member is interested in this and you didn't answer the question, so I'm giving you a second opportunity. Are you removing this from the bill?

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): I thank my colleague from the Chatham-Kent area. AgriCorp will be set up, and the tripartite will continue whereby the provincial government, the federal government and indeed the farmers will be providing the funds, as they have in the past. The government will be supporting them. We fully expect that some time in the future they will be autonomous and financially able to sustain.

Mr Hoy: I'm quite aware of the costing of the premiums through the crop insurance. Today it is a three-way street, with the farmer, the federal government and the provincial government. But we're talking about user fees in the administration of AgriCorp. The possibility exists here in this clause that persons not even availing themselves of services from AgriCorp could be charged a fee. Your own member is asking if you are withdrawing

this clause. On two occasions you have not answered the question. I'll give you another opportunity today. In front of your farmer friends here, are you going to withdraw this clause from the bill?

Hon Mr Villeneuve: The honourable member is seeing some skeletons in closets when he says "the possibility" and "may." AgriCorp will be set up, will be funded, indeed whatever funding is needed. They will be looked after, as they have been in the past, but it will be run by the people who indeed will do the best job: the farmers themselves.

HYDRO RATES

Ms Marilyn Churley (Riverdale): My question is for the Minister of Environment and Energy. Last Friday you released Donald Macdonald's report on Hydro. As you know, Macdonald has recommended privatization of about a third of Hydro.

The issue for many Ontarians is hydro rates. Hydro's own discussion paper, issued last September, says that privatization would increase rates by 26% to 30%. Amazingly, Mr Macdonald says rates would come down because of the wonders of competition. He came to that conclusion because of an anonymous study done by an anonymous financial institution, one, I may add, which could possibly financially gain from privatization.

Minister, I'm asking you today, will you release all studies that were done for the Macdonald advisory committee so that the public can weigh all the information for themselves?

Hon Brenda Elliott (Minister of Environment and Energy): The model that was indicated as part of the report was done by the Macdonald commission. It is just a model; it's indicated just as that. They did not indicate this would be a prediction of rates; they indicated this was how a model worked out. It's the property of that commission. My understanding is there was a letter of confidentiality signed when that was undertaken.

Ms Churley: May I remind this minister that she is accountable to the people of Ontario, not to Mr Macdonald and his advisory committee. Page 112 of this report indicates that Macdonald's study was a very detailed one. Two different scenarios had rates falling by 11% and another by 27%. Yet this contradicts not only Hydro's own study but the common sense, if you will, that says rates must rise because private investors will want to make a profit in exchange for the risk, and they're going to have to pay taxes. Did Macdonald's study not take this into account? Let's get all of the information on the table. I'm asking you again, will you tell us who the studies were done by and will you release all of the work that was done for the commission now?

Hon Brenda Elliott (Minister of Environment and Energy): Again, the model that was in the Macdonald commission is very clear. It was done by the people on the commission, and they can speak to the details of that particular thing.

The real issue that my colleague across the way is talking about is the issue of rates, and certainly that's why this whole conversation is occurring about Ontario Hydro. Are our rates going to go up? Certainly we've

seen a history of rates going up. Between 1990 and 1994, the rates for Ontario Hydro went up by almost 40%. It's an indication that we were on a steady incline of rates that could destroy the competitiveness that is absolutely necessary for our industries and our businesses to flourish in this province.

That's why this conversation is being undertaken. Keeping Ontario Hydro, our electricity industry, competitive and vital is what the Macdonald commission is all about. For every citizen in this province, when the changes are undertaken by this government, whatever they may be, our criteria will be affordable rates, reliable service and safe electricity production.

1500

SEPTIC SYSTEMS

Mr Jack Carroll (Chatham-Kent): My question is also for the Minister of Environment and Energy. The chief building officials in two townships in my riding have written to me concerning a situation somewhat unique to our region, the ongoing problem of residents attempting to obtain an installation permit for a partially raised septic system. On land with a heavy clay base, residents are required to install a fully raised septic system, costing between \$20,000 and \$30,000, a price so prohibitive that many residents find it too costly to build.

As you know, we have discussed this issue on a number of occasions. Would you now be able to inform the people affected in my area what action the government is taking to address this concern?

Hon Brenda Elliott (Minister of Environment and Energy): I'm very glad to answer the question that's been posed to me by my colleague the member for Chatham-Kent. There are many residents in his riding who are concerned about the issue of septic beds and whether a raised septic bed will do the job or whether we need to go to a different type of septic bed, one of course being much more expensive, as my colleague has indicated.

What I can say to you is that the ministry is aware of this, that we have talked in the past and that there is a study under way right this minute. We hope to have a definitive answer within a couple of months, and what we are looking to determine is the most cost-effective method of septic beds that will work. Certainly cost is a factor, but I can assure my colleague that the other consideration that is foremost in our minds is making sure the environment and the groundwater in that area are protected in whatever system is chosen. It's under way, and we hope to have an answer in a couple of months.

PETITIONS

SCHOOL FACILITIES

Mr Richard Patten (Ottawa Centre): I had the pleasure of receiving some petitions from the constituents of Mississauga North last week. The constituents of Mississauga North, the home riding of the Minister of Education and Training, as well as other residents of the

province of Ontario, are concerned about the educational implications of the moratorium on new school production.

"We, the undersigned, believe that the moratorium discriminates against children in high-growth areas. Moreover, the lack of suitable school accommodation violates basic rights, including the right to a quality education and the right to be treated in a fair and equitable manner.

"We, the undersigned, also believe that the freeze on new school construction is unfair to the building and construction industry. The moratorium translates into thousands of lost jobs and substantially higher levels of unemployment throughout the province of Ontario.

"Accordingly, we demand:

"(1) That the moratorium on school construction be lifted immediately.

"(2) The full amount of \$167 million be restored immediately to the capital expenditures fund administered by the Ministry of Education and Training."

I have over 300 signatures here and I affix my name as well.

NON-PROFIT HOUSING

Mr Rosario Marchese (Fort York): I have a petition from the Muriel Collins Housing Cooperative, and the petition reads:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario government has clearly indicated that it wants out of the housing business; and

"Whereas the Ontario government is reviewing the legal contracts and budgets of every cooperative housing project in this province; and

"Whereas the Ontario government has announced plans to make huge cuts from cooperative and non-profit housing funding; and

"Whereas the Ontario government wants to replace affordable housing with subsidies to provide to private landlords; and

"Whereas cooperative housing is a proven success in providing affordable homes, owned and managed by the people who live in them; and

"Whereas the actions of the Ontario government threaten to destroy stable, well-maintained communities which have been built over the last quarter of a century and the investment all Ontarians have made in this type of affordable social housing;

"We, the undersigned, request that the Ontario government sit down with the cooperative housing sector to negotiate a deal which will ensure the long-term financial viability of housing cooperatives. Also included in the discussions is the continuance of the rent-geared-to-income assistance upon which thousands of co-op members depend and which will promote greater responsibility for administration by the co-op housing sector and less interference by the government in the day-to-day operations of housing cooperatives."

I agree with this petition wholeheartedly and I affix my signature to it.

DRINKING AND DRIVING

Mr John R. Baird (Nepean): I submit a petition today from residents in Nepean, Richmond Hill, Gloucester, Orleans and Ottawa, which reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas drinking and driving is the largest criminal cause of death and injury in Canada;

"Whereas every 45 minutes in Ontario a driver is involved in an alcohol-related crash;

"Whereas most alcohol-related accidents are caused by repeat offenders;

"Whereas lengthy licence suspensions for impaired driving have also been shown to greatly reduce repeat offences;

"Whereas the victims of impaired drivers often pay with their lives while only 22% of convicted impaired drivers go to jail and, even then, only for an average of 21 days;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We urge the provincial government to pass legislation that will strengthen measures against impaired drivers in Ontario."

I've affixed my own signature because I'm in agreement.

CHILD CARE

Mr Michael Gravelle (Port Arthur): Many of my constituents in Thunder Bay are very concerned with this government's attitude towards child care and are certainly eagerly awaiting the report by the parliamentary assistant to the Minister of Community and Social Services, Janet Ecker, in terms of what she has to say. This petition says:

"To the Legislative Assembly of Ontario:

"Whereas the Ministry of Community and Social Services has threatened to replace child care subsidies with a voucher system; and

"Whereas this voucher system will discriminate against families presently utilizing subsidies;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these cuts to this critical economic investment for communities of Ontario and to guarantee that the current child care subsidy system remains funded and supported."

I'm proud to sign this petition.

WORKERS' COMPENSATION

Mr David Christopherson (Hamilton Centre): I have a petition and letter signed by hundreds of members of Aluminum, Brick and Glass Workers Local 203G, sent to my office over the signature of president Marco Monaco. The petition reads as follows:

"To the Parliament of Ontario:

"Whereas Cam Jackson's discussion paper is not about ensuring that the workers' compensation system can meet its future obligations to injured workers; it is about handing over power and profit to employers and private insurance companies; and

"Whereas rather than addressing the issue of reducing workplace injuries the Harris government is cutting benefits to injured workers, forcing workers on to welfare and shifting the costs of compensation from employers to our health care system and taxpayers; and

"Whereas the discussion paper outlines various approaches to cutting benefits, looking at recent changes

in New Brunswick, Newfoundland and Nova Scotia where injured workers are paid as little as 75% of net average earnings; the current level in Ontario is 90%, reflecting the long-standing WCB commitment to full compensation for lost wages; and

"Whereas the discussion paper uses a flawed analysis of the unfunded liability to create a phoney fiscal crisis at the WCB to support slashing workers' benefits; and

"Whereas the Harris government has ignored the fact that the unfunded liability of the WCB has decreased two years in a row by over half a billion dollars alone last year and that assets are now up over \$7 billion; and

"Whereas the Harris government has also ignored the report by KPMG Peat Marwick commissioned by the federal government which shows that not only are Ontario rates competitive with the US, but in fact they are lower;

"Therefore we, the undersigned, petition the Parliament of Ontario as follows:

"That the Harris government undertake real public consultation, listen to injured workers and hold full province-wide public hearings before introducing any legislation."

As I support this also, I affix my signature.

1510

GASOLINE PRICES

Mrs Julia Munro (Durham-York): I have a petition pertaining to the exorbitant price of gasoline in Ontario. This petition is signed by Mr George Withy of Brechin and approximately 940 concerned citizens from Beaverton, Cannington, Pefferlaw, Sunderland, Keswick and Sutton, to name but a few communities. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"We, the undersigned, do hereby petition the provincial government to take action to prevent gasoline prices from rising higher without a bona fide reason.

"This petition is to protest the extremely high price for gasoline at the pumps and what looks like petroleum fixing."

I agree with this petition and I have affixed my name to it.

ONTARIO STUDENT ASSISTANCE PROGRAM

Ms Annamarie Castrilli (Downsview): Earlier today the Canadian Federation of Students and the Ontario Coalition for Better Child Care held a press conference at which they delivered a petition signed by 1,187 people, and it reads as follows:

"We, the undersigned, are extremely concerned about the future of the Ontario student assistance program child care bursaries, non-repayable. Many sole-support parents who attend post-secondary institutions rely on these bursaries to further their education. With the recent changes to the provincial-municipal cost-sharing arrangement for child care subsidies, affordable child care spaces are being reduced.

"It is therefore imperative that OSAP child care bursaries be preserved in order to maintain accessibility to education. Accessible education means providing

choices for everyone in our society. We therefore call on the provincial government to preserve the levels of funding to OSAP child care bursaries."

I am happy to sign my name to this petition.

NON-PROFIT HOUSING

Mr Peter Kormos (Welland-Thorold): I've got a petition that was sent to me by Santiago Hernandez and it's signed by every single member of the St Charles Co-Op on Prince Charles Drive in Welland. It reads:

"Whereas the Ontario government has clearly indicated that it wants to get out of the housing business; and

"Whereas the Ontario government is reviewing the legal contracts and budgets of every co-op housing project in the province; and

"Whereas the Ontario government has announced plans to make huge cuts to co-op and non-profit housing funding; and

"Whereas the Ontario government wants to replace affordable housing with subsidies to private landlords; and

"Whereas co-op housing is a proven success in providing affordable homes owned and managed by the people who live in them; and

"Whereas the actions of the Ontario government" — the Conservatives — "threaten to destroy stable, well-maintained communities which have been built over the last quarter of a century and the investment all Ontarians have made in this type of affordable social housing;

"We, the undersigned, request that the Ontario government sit down with the co-op housing sector to negotiate a deal which will ensure the long-term financial viability of the housing co-ops and the continuance of rent-geared-to-income assistance by the co-op housing sector and less interference by the government in the day-to-day operations of housing co-ops."

I concur with that and I've affixed my signature.

COLLEGE OF TEACHERS

Mrs Elinor Caplan (Orillia): "Whereas the public secondary teachers of Ontario have taken a workplace democracy vote in accordance with Bill 7 and have rejected the proposed College of Teachers by a 94.8% vote;

"We, the undersigned, urge the provincial assembly to instruct the government to withdraw Bill 31, the Ontario College of Teachers Act, 1995."

I submit this to the Legislature.

NON-PROFIT HOUSING

Ms Marilyn Churley (Riverdale): I have a petition from tenants of Pape Apartments YWCA. It reads:

"We, the undersigned tenants of Pape Apartments YWCA, 15 Pape Avenue, a community of women and children, are concerned that:

"(1) Our homes will be lost because of the government's cuts to non-profit housing projects which will undermine their financial viability; and

"(2) Low-income families and the most vulnerable in our communities will suffer devastating hardship because

of cuts to the numbers of needy people receiving rent-geared-to-income, RGI, assistance and the increased rents for those currently receiving such assistance.

"We call upon you to stop these government actions that seriously jeopardize our futures and the ongoing viability of our non-profit housing communities."

I agree with this petition and affix my signature to it.

DRUG MARKETING

Mr Frank Miclash (Kenora): I have a petition that reads:

"We, the undersigned, the United Senior Citizens of Ontario Inc, draw the attention of the House to the following:

"That the safety of consumers, and senior citizens in particular, is at risk because brand-name drug manufacturers are attempting to force generic drug manufacturers to market their equivalent products in a different size, shape and colour than the brand-name medication.

"Any action that affects the look of generic drugs could endanger patient safety through improper use of medicines;

"Therefore your petitioners request that Parliament regulate the long-standing Canadian practice of marketing generic drugs in a size, shape and colour which is similar to that of its brand-name equivalent."

I have attached my name to that petition as well.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton Centre): I'm proud to present petitions on behalf of my home-town Hamilton and District Labour Council, representing workers in the Hamilton area.

"To the Legislative Assembly of Ontario:

"Whereas it is vital that occupational health and safety services provided to workers be conducted by organizations in which workers have faith;

"Whereas the Workers' Health and Safety Centre and the occupational health clinics for Ontario workers have provided such services on behalf of workers for many years;

"Whereas the centre and clinics have made a significant contribution to improvements in workplace health and safety and the reduction of injuries, illnesses and death caused by work;

"We, the undersigned, petition the Legislative Assembly of Ontario to oppose any attempt to erode the structure, services or funding of the Workers' Health and Safety Centre and the occupational health clinics for Ontario workers;

"Further, we, the undersigned, demand that education and training of Ontario workers continue in its present form through the Workers' Health and Safety Centre and that professional and technical expertise and advice continue to be provided through the occupational health clinics for Ontario workers."

I support this petition and affix my signature.

NORTH YORK BRANSON HOSPITAL

Mr Monte Kwinter (Wilson Heights): I have a petition to the Legislative Assembly of Ontario.

"Whereas the final report of the Metropolitan Toronto District Health Council hospital restructuring committee has recommended that North York Branson Hospital merge with York-Finch hospital; and

"Whereas this recommendation will remove emergency and inpatient services currently provided by North York Branson Hospital, which will seriously jeopardize medical care and the quality of health for the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening medical conditions;

"We petition the Legislative Assembly of Ontario to reject the recommendation contained within the final report of the Metropolitan Toronto District Health Council hospital restructuring committee as it pertains to North York Branson Hospital, so that it retains, at minimum, emergency and inpatient services."

I have affixed my signature.

EDUCATION FINANCING

Mr Peter Kormos (Welland-Thorold): I've got a petition signed by 210 people from here in the Toronto area. It's called the education cuts petition and it reads:

"We, as students/parents in a concerned society, oppose all education cuts that the current government has suggested in the province of Ontario."

I wholeheartedly endorse that, and I affix my signature to it.

FONDS PROPRES POUR ÉCOLES

M. Jean-Marc Lalonde (Prescott et Russell) : J'ai ici une pétition qui m'a été envoyée par Claude Levesc, directeur de l'école publique Nouvel Horizon de Hawkesbury.

«À l'honorable John Snobelen, ministre de l'Éducation et de la Formation :

«Attendu que les 207 élèves de l'école publique Nouvel Horizon vivent dans une école qui n'est pas convenable, qui est située sur un terrain d'un acre et qui n'appartient pas au conseil scolaire ;

«Attendu que l'école publique Nouvel Horizon a une très petite bibliothèque, pas de gymnase et des classes mobiles qui ne sont pas reliées à l'école ;

«Attendu que l'école publique Nouvel Horizon est la seule école publique de langue française du comté de Prescott et que nous croyons qu'il est essentiel d'obtenir au moins une école de langue française pour les contribuables du secteur public français ;

«Nous, soussignés, faisons parvenir une pétition afin que le financement pour l'achat d'un terrain et pour la construction d'une nouvelle école soit accordé tel que promis en 1994.»

1520

NOTICE OF DISSATISFACTION

The Speaker (Hon Allan K. McLean): Pursuant to standing order 34(a), the member for Hamilton East has given notice of his dissatisfaction with the answer to his question given by the Minister of Community and Social Service concerning workfare. This matter will be debated today at 6 pm.

INTRODUCTION OF BILLS

CROWN FOUNDATIONS ACT, 1996 LOI DE 1996 SUR LES FONDATIONS DE LA COURONNE

Mr Eves moved first reading of the following bill:

Bill 71, An Act to encourage the financial support of Public Institutions by Individuals and the Private Sector through the establishment of Crown Foundations / Projet de loi 71, Loi visant à encourager le soutien financier des établissements publics par les particuliers et le secteur privé grâce à la création de fondations de la Couronne.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): Very briefly, the Crown Foundations Act, 1996, will allow hospitals, libraries, cultural organizations and certain other public institutions which may qualify to establish crown foundations. Through this legislation, donations to these foundations will receive the same treatment as donations to universities which already have crown foundations. This bill will encourage increased individual and private sector support of these public institutions and the worthwhile services they provide to Ontarians.

HIGHWAY TRAFFIC AMENDMENT ACT, 1996 LOI DE 1996 MODIFIANT LE CODE DE LA ROUTE

Mr Kormos moved first reading of the following bill:

Bill 72, An Act to amend the Highway Traffic Act / Projet de loi 72, Loi modifiant le Code de la route.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

Mr Peter Kormos (Welland-Thorold): The Highway Traffic Act, as most people know, provides for the suspension of a person's driver's licence for a specific period of time if the person is convicted of an offence under the Criminal Code for driving while impaired by alcohol or a drug. The amendments in this bill would require that a person successfully complete a course respecting drug or alcohol abuse before the suspension is lifted, a course that's approved by the registrar and conducted by an agency or person similarly approved by the registrar. That, I submit, and some experience in the province already indicates, will go a long way towards reducing recidivism and making our streets and highways far safer, especially with respect clearly to impaired, drunken and drugged drivers.

MUNICIPAL AMENDMENT ACT (EXPENSES ALLOWANCES), 1996 LOI DE 1996 MODIFIANT LA LOI SUR LES MUNICIPALITÉS EN CE QUI CONCERNE LES INDEMNITÉS POUR DÉPENSES

Mr Shea moved first reading of the following bill:

Bill 73, An Act to amend the Municipal Act / Projet de loi 73, Loi modifiant la Loi sur les municipalités.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

Mr Derwyn Shea (High Park-Swansea): This House made a decision several months ago to amend the honorariums that are paid to members of the House, and it is probably appropriate for us to do exactly the same thing for all those who are in the receipt of pay from municipalities and their various local boards and so forth. The bill amends the Municipal Act to provide that beginning in 1997 no part of an amount of salary or other remuneration that a member of a council of a municipality or a local board receives shall be deemed to be an expense allowance.

ORDERS OF THE DAY

ROAD SAFETY ACT, 1996

LOI DE 1996 SUR LA SÉCURITÉ ROUTIÈRE

Mr Palladini moved second reading of the following bill:

Bill 55, An Act to promote road safety by implementing commercial trucking reforms, drinking and driving countermeasures and other aspects of Ontario's comprehensive road safety plan / Projet de loi 55, Loi visant à promouvoir la sécurité routière pour la mise en oeuvre de mesures de réforme du camionnage, de contremesures visant l'alcool au volant et d'autres aspects du programme général de sécurité routière de l'Ontario.

Hon Al Palladini (Minister of Transportation): I stand today to move second reading of the Road Safety Act, an act targeted at unsafe truckers and drinking drivers. This government is committed to improving the safety of Ontario's roads, and the Road Safety Act introduces new measures aimed at doing just that.

These measures are directed at people who put others at risk, truck drivers and operators who drive unsafely and operate poorly maintained vehicles. It zeroes in on people who drink and drive. It states that seatbelt use is for all people. It is time for everyone to take responsibility for their actions. The onus is on the driver and operator. This legislation is vital if we are to improve safety on our roads.

Last week, Ontario participated in Road Check '96. This is an annual, round-the-clock, three-day inspection blitz that takes unsafe trucks off the road immediately. This event provides a snapshot of how well the trucking industry is meeting our safety standards. At the end of the 72 hours, 2,912 trucks were inspected. Of these, 1,139 trucks, about 39%, were removed from the road because they failed to meet our standards. In all, inspectors found 3,397 defects and 885 charges were laid.

The most common defects were brakes that were out of adjustment and problems with suspension and tires. Ontario has inspection stations open at random and mobile enforcement teams looking for unsafe trucks. We are concentrating our efforts on the need for action against mechanical defects and the unsafe operation of commercial vehicles on our roads.

An inquest into the two fatalities caused by wheels falling off large trucks recommended tougher sanctions

against safety infractions. We have listened and heard. We are prepared to take action. Fines for safety violations will increase dramatically: Minimum fines will more than triple; maximums are increased by 10 times, to \$20,000.

Two levels of fines have been identified. Minimum fines for such offences as defective lighting and overweight and overlength vehicles have increased to \$200 from \$60. Minimum fines for serious violations such as faulty brakes have increased more than five times, to \$400. This new legislation opens the way for MTO to develop a conduct review system for commercial drivers akin to the demerit point system. This would effectively flag such non-moving violations as hours-of-work infractions and load security offences.

Before I leave the subject of unsafe trucks, let me say that unsafe operators must change their ways. If they don't, they won't be driving on our roads for much longer. These measures come from our road safety plan, which initially focuses on three areas: enhancing enforcement, preventing drinking and driving, and improving safety in the trucking industry.

Other drivers who need to change their ways are those who continue to drink and drive. In Ontario, drinking and driving continues to be a problem. In 1993 alcohol was involved in 42% of Ontario's motor vehicle fatalities. That year 565 people were killed in alcohol-related crashes and more than 26,000 drivers were convicted of impaired driving. Alarming, 63% of all impaired driving convictions were for a second, third or greater offence. These figures are too high. Not only are these drivers a danger to themselves; they put everyone else at risk. It is clear that drinking and driving continues to be a major road safety issue. It's clear that we have to take drinking drivers off the road and hold them accountable for their actions.

This legislation will help to resolve the problem by removing drinking drivers from the road with an immediate 90-day licence suspension. The administrative licence suspension has proven extremely effective in other jurisdictions in targeting drinking and driving offenders. The administrative licence suspension is an automatic suspension handed out by the registrar of motor vehicles. It will apply to those drivers who register a blood alcohol level of more than 0.08% or to a driver who refuses to take a breathalyser test.

Our research shows that licence sanctions that are swift and sure are effective deterrents. With the introduction of the administrative licence suspension, Ontario joins Manitoba, Nova Scotia and 40 American states that have already implemented this program. British Columbia has introduced legislation and Quebec is considering that proposal.

1530

With this legislation, Ontario joins the other provinces in charging a reinstatement fee. We propose a \$100 fee to drivers whose licences were suspended for a variety of reasons. These include an accumulation of demerit points, convictions under the Criminal Code, serious Highway Traffic Act offences such as excessive speeding, careless driving and racing, and failure to pay court-ordered fines and judgements from convictions of motor vehicle related offences.

Suspended drivers cost the province in many ways: for appearances in court by enforcement officers, processing court documents and sending suspension notices by registered mail. Currently, there is no charge for returning a licence to a suspended driver. This \$100 fee will make suspended drivers more accountable for those costs, not the taxpaying public.

We all know that seat belts save lives. Researchers and medical experts agree there are few, if any, medical or physical conditions that warrant a seat belt exemption. This bill introduces a new process to allow for limited exemptions for specified periods of time. We want all drivers and their passengers to buckle up. A similar approach was undertaken in Quebec, where the number of exemptions is down to about 100. This move comes with the support of both the Ontario and Canadian medical associations.

This legislation is a start towards cracking down on those drivers who put others at risk. We expect more changes to come into effect later on this fall.

The Acting Speaker (Mr Gilles E. Morin): Questions or comments?

Mr David Tilson (Dufferin-Peel): I'd like to make a few comments to the Minister of Transportation and congratulate him for bringing forth this legislation. This is legislation which was actually introduced as a road safety plan by three ministers — the Solicitor General, the Attorney General and the Minister of Transportation — and the Minister of Transportation of course has carriage of it.

The three issues which the minister has covered today are transit safety, administrative licence suspension and the issue which the Solicitor General has been working on involving road safety. All of these issues are of specific concern in most of our ridings; in fact, I suspect in all of our ridings. I particularly congratulate him on the issue of the administrative licence suspension, although certainly the issue involving wheels coming off and those sorts of unfortunate incidents concern us greatly.

The facts he has referred to as to why the administrative licence suspension is of great importance I think are worth mentioning again, because certainly this process isn't new across North America. It has been popular and it's proved a deterrent to drinking and driving across North America. The minister has talked about how there have been reductions of up to 50% in alcohol-related crashes, injuries and deaths in jurisdictions with this type of program where there is administrative licence suspension. Specifically, it's been adopted in 40 states. He indicated that it's been adopted in Manitoba and Nova Scotia, it has been introduced in British Columbia and I believe Quebec is considering it, so this is something that's proven.

I think all of us in the House support the minister, and I look forward to an early and fast passage of this bill.

Mr Michael A. Brown (Algoma-Manitoulin): I was interested in the minister's observations, particularly the ones revolving around automatic licence suspension. One of the difficulties I'm having is not that I disagree with that particular measure, but I think many members of this House will recognize the problem of repeat offenders that the minister also alluded to.

One of the difficulties I'm having as I comprehend the government's approach is that I know throughout rural areas of the province OPP law enforcement is falling by the wayside. There are not as many police out there. One of the great difficulties is you can suspend anybody's licence, but that does not keep them from driving — they do drive with suspended licences. Unless the government is willing to take the responsibility seriously and protect our citizens by putting the police out there who will actually enforce these laws and these rules, we will continue to see people who have suspended licences, either for this reason or for other reasons, on our roads, driving without insurance, causing great difficulty.

The fact that we say you can't drive does not mean you won't, unless we're willing to take the proper resources and put them out there so we can be assured that those people who are in fact censored, either administratively or by a court, are not going to be able to drive and endanger those other citizens of Ontario, and indeed from other provinces and states who are out on our highway. So I cannot understand why the Solicitor General is —

The Acting Speaker: The time has expired. Further questions or comments?

Mr Len Wood (Cochrane North): Just commenting on the Minister of Transportation's introduction of the bill, I listened to some of the comments he made and I find it interesting that he didn't talk about the cancellation of photo-radar, when clearly 50% or more of the population of Ontario is saying that if photo-radar had been there, it would have been safer for people from northern Ontario and other parts of the province coming in and we wouldn't have the accidents we have right now.

I also didn't hear very much comment on his suggestion that the speed limit should go up to 110 or 120 kilometres an hour on these roads and why the Solicitor General pulled the plug on him on some of those comments.

As far as the other areas he's talking about are concerned, wheels falling off transports, I agree we have to get tougher on these types of unsafe things that are happening out on the highways, and as well, transport drivers who are operating their vehicles with no brakes. There's no doubt about it that people are going to get injured and killed, and disabled for the rest of their lives, as a result of large companies throughout this province, whether their headquarters are in this province or in another province or in the United States, letting the transports come in and drive with loose tires on their transports or buses — unsafe vehicles; no brakes on them.

I have no problem supporting that part of the legislation, but I don't know how they're going to do it with the large cuts they're doing in the Ministry of Transportation.

Mr John R. Baird (Nepean): There was a tremendous tragedy involving drinking and driving in my riding some five or six months ago and the public in my constituency is calling for a variety of tougher measures with respect to dealing with this program. The minister will know that after this tragedy, I and my colleague the member for Mississauga South talked with him on numerous occasions about beefing up these laws. She's introducing a private member's bill in the coming weeks to deal with this issue.

One of the reasons she's having to redo it is that she's taking the ALS out of her bill, because the minister has agreed to follow through on it now, which is good news for public policy in the province of Ontario. Where the administrative licence suspension has been introduced, it's been exceptionally effective as one tool in the arsenal to fight drinking and driving. We look forward to its introduction this fall to see what sort of positive effect it will have in Ontario, because we believe it will have a very good impact.

The other issue with respect to enforcement is funding for the RIDE program. I was encouraged during the run-up to the budget and financial statements that the provincial government has doubled the budget of grants to over 100 communities across the province under the RIDE program as a way of ensuring enforcement of this very important initiative.

I notice as well that the auto insurance reforms introduced by my colleague the member for Mississauga West had a component which dramatically increased the fines for driving without auto insurance, which we think will be another positive mechanism in terms of fighting drunk driving, and we look forward to the debate on my colleague from Mississauga South's private member's bill in this regard.

1540

The Acting Speaker: Further debate?

Mr Bruce Crozier (Essex South): It's a pleasure for me to rise today to add to the comments, I hope in a substantive way, regarding the introduction of the Road Safety Act, 1996, Bill 55. I would say at the outset and to the minister that we in the official opposition support the intent of the bill.

There's absolutely no question in my mind or in those of all Ontarians that when it comes to drinking and driving, if there were any way we could reasonably reduce the effects of that to zero so that there were no accidents, no deaths, we would all be much happier for it. In fact, if we could see our way clear to have a zero tolerance when it comes to drinking and driving, that certainly would be the most effective and the most wanted. But with the introduction of this bill, with its content, certainly steps are being taken in the right direction.

I want to say to the minister that I appreciate that yesterday we were given a briefing on the contents of the bill and were able to ask questions. That's very helpful, because it gives us an opportunity to respond to the bill in a constructive way. As I said, we intend to support this bill as a first step towards road safety in Ontario.

As the minister has pointed out, there are two primary initiatives in the bill. One is the administrative licence suspension for drunk drivers, and the other is to increase fines for truck safety violations. These are two good initial steps. However, we need to look at this as being a part of a long-term plan for making the roads in Ontario safer. More important, we must ensure, any time legislation is introduced which affects our civil rights and liberties, that the legislation is reasonable, is acceptable in a democratic society, and that the implementation, the administration and the enforcement of the legislation be such that no person's rights are violated.

There's a very fine line here in this bill, in that a licence will be suspended further than it is now. The

present legislation has in it the ability for enforcement officers to suspend a licence for 12 hours in those cases where a driver who has been drinking or suspected of drinking has exceeded a limit or has refused to take a breath test.

I don't want this legislation to be seen as being inconsistent, but to me there is a bit of inconsistency in the government's approach to drinking and driving in that just recently the hours of operation of licensed establishments were extended from 1 am to 2 am. I wonder, certainly in many areas where public transportation isn't available, where even cabs may not be available, how this extension of the ability to drink later into the night coincides with the effort to make our roads safer. Also, the availability of being able to drink on golf courses seems to me to be a little inconsistent with the government's intention to make our roads safer.

On the one hand we're encouraging drinking, which I suspect in many cases leads to driving after, yet on the other hand we're suggesting that we want to make our roads safer.

Something that should be emphasized in connection with this bill, which I don't think addresses it to the point we feel it should, is enforcement. It was mentioned earlier in a couple of the comments on the minister's remarks that what is needed in conjunction with this is increased enforcement. We need more resources out on the highway. I haven't any idea what the percentage of drinking drivers who are stopped and subsequently charged and/or convicted might be to the total number who may be on the road. In fact, we were told yesterday that even when a driver who has been drinking is apprehended, there's a good chance, ministry officials have said, that this driver has driven on 200 different occasions under the same influence. That would indicate to me that the minister should seriously approach the Solicitor General and that enforcement should be of equal concern with this legislation.

What we've seen over the past few months is that police resources have been diminished. It was suggested by my colleague the member for Algoma-Manitoulin that particularly in rural areas this becomes even more difficult because of the area that has to be covered and the limited resources we have.

The minister gave us some information on the result of a recent high-profile, I believe 72-hour blitz on safety and truck driving — I mention this on the enforcement side — 39% of the trucks were found to be defective. Again I think enforcement needs to be of prime concern.

But the main points of this legislation that I'd like to cover today are those in the area of licence suspension. The administrative licence suspension consists of an immediate 90-day suspension when the blood alcohol limit exceeds 0.08 or where the person stopped refuses to take a breath test. This administrative suspension is of course independent of the Criminal Code charges and at no time do the two merge. That's the extent to which I'm going to try and give a legal opinion on this — I know there'll be some relief on the other side — because I'm certainly not a lawyer, but that doesn't mean we can't approach this from a layman's point of view and one of concern.

Two key elements should be addressed in the proper execution of this measure so that individual rights are not violated. I tread carefully here, because although we have a history that Canada is known for upholding individual rights, there are times when we obviously have to consider the rights of the general public.

The blood alcohol test equipment that's going to be used must certainly meet proper standards to ensure that the readings are not erroneous and that this objective evidence will not be found to be incorrect during criminal proceedings. Where there might be some injustice is that where someone's licence is suspended for 90 days and then they proceed to criminal court and it's found either that the evidence was not objective or for some other reason the individual is found to be innocent, there's no recourse for that individual, having gone through up to a 90-day suspension.

Should the person choose to appeal the licence suspension, we feel the appeal process must be efficient and it must be clear and everyone must know what their rights are. In other words, the process must be timely. People should be able to appeal, we believe, the decision within 48 hours. In addition, the grounds and procedure for appeal must be clear and simple so as not to result in the creation of complex legislation.

1550

Therefore, it's evident that the intention of the licence suspension measure is to send a message to motorists that drinking and driving are not an option and that serious consequences will result. We certainly agree with that. But I can't express or stress too strongly the importance of ensuring that the substance of the legislation not be jeopardized by a process which violates individual rights.

A second important part of this legislation is the increased fines for safety violations. Before I get into a couple of points on this, I again come back to the question of enforcement. The 72-hour blitz that was held, as I mentioned earlier, resulted in some 39% of trucks on the road, and buses may have been included in that, being found to be defective. We also heard anecdotal stories where some trucks didn't even go on the road during the time of this blitz, that some trucks were able to avoid the area in which the inspections were taking place, because truckers communicate very effectively on the highways and are able to keep track of these kinds of things, not only the police but where these high-profile inspections are taking place.

In this part of the legislation as well it's incumbent upon the government to increase inspection, to increase the resources for inspection, to increase the areas in which inspections are made so that unscrupulous companies can't simply avoid the inspection areas.

Of course, we've had examples. There was one given in the Legislature only weeks ago where a company that was previously owned by the Minister of Education and Training, Jarsno Equipment, had 11 pages, some 161 charges between May 1991 and December 1995. I'm sure that's not the only company; in fact, it might not be the worst company. What we have to do is be assured that this legislation is in accompaniment with increased, strict inspection.

I think some of the trucking companies have a valid argument. I've been told on several occasions in repre-

sentations made to me that there are areas, for example, of Highway 401 — my colleague from Cornwall has brought to the minister's attention the deplorable condition of some of the highways in Ontario. What the truckers and the trucking operators are telling us is that they can send equipment out on the road and depending on the highway it travels on and the condition or the poor condition it might be in, they could end up with broken equipment on a trip that started out with equipment that was in good condition.

I travel, as many of the other members do, Highway 401. I spend about seven or eight hours a week on the highway going from my riding in Essex South, coming to Queen's Park and home again. There are sections of Highway 401 between, let's say, the Guelph and Woodstock area that are certainly in considerable disrepair, and I have concern for my little Eagle, that it might not come out of it in all that great a condition sometimes.

Down in my own riding, for example, Highway 3 between Leamington and Ruthven is in deplorable condition. I've written to the ministry. I've gone to the local district engineer. He just throws his hands up and says, "I don't know what we can do about it." These are the kinds of things we're going to have to improve in connection with the increased enforcement and the increase in fines.

Highway 18: I'm waiting for a parcel from a constituent who was out mowing his lawn on Highway 18. The highway has a stretch that's in poor condition. He called it a meteorite, but apparently a piece of the highway came on to his property somewhat like a missile and just missed him. We have to improve our highways so that our trucks can continue to be safe to operate on them as well.

It's clear, given the colossal number of truck safety violations the minister himself has pointed out, that the current fines are not a deterrent. We agree with the minister. Increasing the minimum fines from \$60 to \$200 and \$400, based on the offence, is certainly a move in the right direction. For serious violations the maximum fine, as we are told in the legislation, is being increased from \$500 to \$20,000, but this still remains at the discretion of the roadside officers and the judiciary. Accordingly, we think it's critical, it's crucial to this legislation that roadside officers be properly briefed so they know what constitutes a serious offence such as this and that there should be punitive charges.

Truck operators must stop running their businesses believing that if they're found to be in violation of a truck safety standard three or four or a dozen times, they need not be concerned that they will be hit with fines that really will deter them. We certainly support this part of the legislation. The ministry is sending and must continue to send out a loud and clear message that a serious violation won't be tolerated and that the penalty will be substantial.

As indicated earlier, this is a first step, one which should have come perhaps months ago, maybe even years ago. It must be revisited regularly to ensure that it's working and that it's being properly implemented. Like the 90-day licence suspension, the intent is only part of the legislation. It must be implemented and enforced

vehemently so that each and every truck on our highways is safe and every motorist in Ontario can drive alongside a transport truck without fear.

In conclusion, the principle of Bill 55 is certainly the right road, but it's only the beginning of that road. The ministry and this government cannot assume that they've now concluded their work on road safety and that they've resolved the problem of road safety in Ontario. There's a great deal of room for improvement. This is a challenge, and I hope that the Minister of Transportation doesn't abandon that challenge and that Bill 55 is merely an introduction to a comprehensive road safety plan.

1600

The Acting Speaker: Questions or comments?

Mr E.J. Douglas Rollins (Quinte): I'd like to rise today to make a few comments about Bill 55. I certainly feel that it's a big step in the right direction to make sure we —

The Acting Speaker: Your questions and comments have to be on the bill that's just been debated.

Mr Rollins: On the speech that he just finished, right? Was it the wrong bill I called it?

Mr Baird: You've got to respond to him.

Mr Rollins: I've got to respond to him, yes. I thought I was doing that right. Excuse me.

I certainly agree with my colleague across the road that making sure we remove these people who are driving with licences at 90 days is one of the good parts of it. I firmly believe that when making these improvements to the driver safety aspect of our tractor-trailers on the road, we certainly want to be on the road when there are safe vehicles on the road with us.

One of the big parts that maybe you're missing a little bit of is that we're trying to put more information and more direct cause on to that driver to make sure that he or she, whoever the driver is, does that proper safety inspection before the trip starts, and if you're on a long trip, those drivers have to remove themselves from the vehicle periodically, and on every time entering that vehicle it's got to be impressed on them to make sure they do those safety circles. Bolts do come loose, lights do burn out and those should be checked out on a continual basis.

When inspectors on our roads find out that those people are not doing that, then they certainly should be fined. If a company continues to lose those kinds of demerit marks as far as proper inspection of vehicles are concerned, then we should attack them very, very strongly, even maybe harder than what you agree with, to make sure people are safe.

I hope I meet all safe trucks on the road, the same as you do.

The Acting Speaker: Further questions or comments? Would you wish to reply? Two minutes.

Mr Crozier: I agree, there is more to the legislation than was simply covered today. I tried to imply by my brevity and my comments about support that we certainly agree with you, that anything we can do to make our roads safer is important, provided we do it in all areas, as I said, from the legislation to the enforcement and to the continued enforcement of that legislation. I'm sure that we all want our roads safer, and I look forward to that.

The Acting Speaker: Further debate?

Mr Gilles Pouliot (Lake Nipigon): I take a great deal of pride and some satisfaction in responding and participating on behalf of the third party regarding Bill 55. It is not catalytic, it's not going to turn the world upside down, but it shall, in progressive order, make the roads of Ontario a little safer.

This highway safety measure is welcome; welcomed by our party, by the New Democrats, welcomed by the motorists and welcomed by the truckers themselves. It consists of a series of small but significant measures and the progressive endeavour to arrive at a significantly better record.

It imposes hefty fines. You get hit in the pocketbook rather big time, and if money is a motivator, or the fear of getting caught, you are more likely to pay attention and to rectify what is an adverse and potentially hazardous situation. If you happen to have one too many, if you choose to consume alcohol and get behind a rig and drive at the same time — well, it's already beyond the statutes, but this time they're saying if you're above 0.08, then under their jurisdiction the ministry will just lift your licence and say: "No, you cannot earn a living for the next 90 days because we don't tolerate him or her behind a wheel. We don't want your truck to become a killer truck and we will help you comply by taking away your privilege, your permit to operate."

"We will also," says the government of the day, "tighten up the rules on wearing your seatbelt when you're operating a vehicle." You won't have as many exemptions. So the focus on, after you're fined, automatic suspension for 90 days, should you help the breathalyser in scoring above 0.08%, and you can't get away with gimmicks, whether you will wear your seatbelt or not.

I wish to commend the minister. The minister made a commitment on several occasions that he would continue. Mr Speaker, you've been here for 12 years and you saw the evolution. In fact, you will recall, since it is so recent as if it were yesterday, the measures of the New Democratic Party regarding road safety, regarding the partnership with public transportation.

The graduated driver's licence — remember that? — so the young people would be better armed to defend themselves and to integrate, and they would have to earn their stripes. We did it, and it made our roads safer.

Photo-radar, that great safety initiative, because we know that speed kills. It's not a secret that one out of every six fatalities in Ontario on our roads and on our highways is the direct result of someone driving too fast.

Seatbelts: If you got caught not wearing your seatbelt in the past, you were hit in the pocketbook. We said: "Well, that's not enough. You will accumulate two points on your licence," or as they say back home, you will lose two points on your licence. "It will not be determined on your ability to pay but also on your privilege to drive."

We did this, and the minister does a little more, so he picks up the issue of safety. He doesn't want to go too quickly, and you know, right — I see you shaking your head, Mr Speaker — that it pales in comparison to what has been done before. But his is not a record of comparison. The minister has an immaculate record so far, because when it comes to safety, in the 13th month he's

done absolutely nothing. So his record is immaculate. But this is not again a record, a blot on an otherwise immaculate record which will take on extraordinary proportions. This is a step-by-step approach. When I say step by step, it is a style that has been consistent with the present administration. Step by step. There is an element of contradiction, unfortunately.

If only I could candidly — just the minister, just you and me, Al — get to know him better and call him on a first-name basis and just candidly talk about road safety, just exchange notes like concerned citizens and parliamentarians do, if I could only look at him straight in the eyes and say, "Minister, while we agree with this, we also agree that you've been consistent, that we can follow the beginning of your intentions, the development of that theme and the conclusion, its transition to the marketplace, and we can almost predict what you're about to do in phase 2, because you're organized."

"Oh, Minister, you're a planner," we would tell him. But let me sadly remind the House of the Jekyll, and some who adhere to the philosophy of a safer transportation system would even utter expressions such as the Judas, the pariah of this argument.

1610

Photo-radar electronically tells you, "If you go too fast, we'll catch you, and by mail you shall be notified that you have exceeded the speed limit and please pay." Because of political expediency, this government takes off photo-radar, "Because we said we would." It doesn't matter what the polls say the next day. The irony is that the municipalities wish to buy back photo-radar.

Then they complain that they don't have enough money for women and men in blue to police our highways. Photo-radar could do that for them and they could deploy them someplace else. Not good enough. "We're going forward, we said we would get rid of photo-radar, so we get rid of it." So much for speeding, so much for safety. You have one less police, one less monitor and far less compliance.

You saw them, Mr Speaker, right after, almost to the minute when photo-radar was taken out of action: at 120 in the left lane, you were pushed off the road. Get out of here. If you're outward-bound in Ontario on a Friday night, on a Saturday night, you better come equipped and be vigilant, for some cowboys have taken over. Nobody's manning the asylum. This is party time. This is new time. Welcome to Mike Harris's Ontario. Oh, you get maimed, some lose their lives. Young people are deprived of the potential of many decades. From the highway to the bag, no problem; there's no monitoring here. You hit that 125 — I mean, my name is Gilles Pouliot; it's not Gilles Villeneuve. I know my capacity.

Mr Baird: Thank goodness.

Mr Pouliot: Yes, I'm still here. I know my capacity to monitor, and at 135 I would not feel secure.

Mr Baird: You are a fast talker, not a fast driver.

Mr Pouliot: No, I don't exceed speed limits. I always wore my safety belt before I became the Minister of Transportation, and after I became Minister of Transportation I wore my safety belt even more often. It became a mindset.

We had an annual safety blitz — we started it — where you're on the main arteries on the 400, Highway

401; it could be any major highway. Every year we stopped the rigs, we stopped the trucks of all sizes coming through and we sent people from the Ministry of Transportation to conduct an inspection. The minister is there and I see him and I thank him for choosing to be in the House today because he will acquiesce, he will agree, that 40% of the trucks inspected — that's four out of 10 — were found to be so defective that they should be taken off the road. If that doesn't scare the living day-lights out of you when you drive your car, I don't know what does.

Picture this: You have 10 trucks as you are driving the highway, some coming this way, some coming in the same direction, of course. Four out of every 10 shouldn't even be on the highway. When you begin to pass one when it's raining on a two-lane highway, or when there is a snowstorm and you begin to pass in your much smaller vehicle, in your car, and those longer configurations are your competition, you must keep in mind that four out of 10 should not be on the road. We're not talking about a burned ball-bearing; we're talking about hydraulic brakes.

You're one third up in passing. You have your family with you, your spouse and the children in the back seat. As you get to about halfway through, on this snowy evening in February in the riding of Lake Nipigon on Highway 17, silence takes over the car, anxiety, fear. You're three quarters to passing and in the distance you see some lights of another transport. They begin to approach quickly, and you press the accelerator while trying to maintain stability. Is it you? Is it him? Remember, it's 40%. Will one wheel fall off? Will the brakes respond? If you're not sure, you begin to die; you die a little, and oops, you made it this time.

You shouldn't have to; people should not have to be scared to live under those circumstances, and we as a community should seek assurance that if it's not safe, "I'm sorry, no safety, or the lack of it, no driving." The minister is responding in small part to that. I can't forget the contradictions of photo-radar.

I got up this morning, looked at the order paper, tried to prepare myself physically and mentally for the task ahead, for the duty of representing our fine people. You have to keep au courant. I was shocked, appalled. The television answered: The honourable Al Palladini, Minister of Transportation, in a moment of weakness — maybe he was trying to be cute, I don't know, but humour does not become him — said right on television that the Toronto transportation system is the worst transportation system in Canada.

Al should have talked to Al, maybe among pals. If Al Palladini, Minister of Transportation, says what I've just mentioned, that the TTC is the worst transportation system in Canada, does that make Al Leach, the Minister of Municipal Affairs, who was the manager, the main man, the worst manager in Canada?

Mr Bill Murdoch (Grey-Owen Sound): I think he was talking about the former Minister of Transportation.

The Acting Speaker: The member for Grey-Owen Sound, order please.

Mr Pouliot: What is the connection? When you talk about road safety, you have to encourage people to take

public transit. They go hand in hand. You must get people off Highway 401 and get them in the democratic class aboard GO Transit, so you encourage. If you work at the TTC, how did you feel this morning? The minister, who I'm sure didn't have the opportunity or didn't choose to subsidize GO Transit — you see all those plaques on the wall: international recognition of the TTC, North American recognition of the TTC, the way to do business. Delegations from all over the world come to Toronto and say: "We must learn from Toronto because this part they do very well. Overall, they do well."

To have my spokesperson —

Mr Murdoch: Yours?

Mr Pouliot: I work at the shop there or I'm a clerical worker; I need your help. I know the support system is there, starting at the top. If the general of transportation in the province turns his back on me and says, "You are running the worst transportation system in all of the country," I would be a little vexed, disappointed, saddened. My ability to perform would be, because I believe in the system — heaven knows, maybe I have a relative who voted for those people.

Interjection.

The Acting Speaker: The member for Grey-Owen Sound, stop interjecting, please.

1620

Mr Pouliot: None of us is perfect, but I wish we would have a little more encouragement.

Interjection.

Mr Pouliot: You support safety? If you support safety, why is it that up to yesterday, up to very recently, if a municipality was to buy rolling stock, a bus, if Toronto was to buy a subway, the provincial government would give you 75 cents on the dollar? They want to get you off the road; they want to promote public transportation.

They've taken the money away. Now you only get 50 cents, so you're supposed to find, as a municipal entity, the other 25 cents. Leach and Palladini have come through with a concoction where the degree of toxicity takes on unprecedented levels. They say, "Don't raise taxes; keep the same lifeline on your vehicles, but now you pay 50%." The municipalities have no alternative but to take another look. Public transportation cannot be enhanced when the senior partner reduces in one shot, overnight, a subsidy from 75% to 50%.

When we talked about safety, not only on our highways but in the 136,000 kilometres of municipal, county and city streets that we have — and I've just said the highways add to it another 23,000 kilometres — the transfer payments, money that flows from the province to 800 municipalities, have been reduced too, which means that the potholes will be more prominent. It has to be. The timetable will take longer to address. When it comes to the highways, the Common Sense Revolution, the mantra, the manifesto indicates, and it's very clear, that \$300 million less will be spent on Ontario highways.

You can't have it 18 different ways. Infrastructure costs money. It's capital money. The multiplier is very good. For every dollar which is being spent, you get \$2 to \$3 back. That's the reality of the day. It puts people to work. People will spend their money.

They've taken, and that's the truth, \$300 million out of the pool. They have taken out \$200 million in transfer

payments for public transit. They have taken out 25% of the subsidy, of the partnership. They have taken out photo-radar. They have taken out 1,200 employees. They have taken out 7% of winter maintenance. Who am I to believe? The facts speak for themselves. You cannot weasel, trick your way out of this legacy.

I remind people who are not yet in cabinet — I imagine that many people aspire one day, if the opportunity presents itself, to serve the province in another capacity — that they're elected by the people in their ridings, that they carry the freight, that they pay their wages and all politics are local. They must support, because we have the system we have, whatever people in the Premier's office and cabinet office, what some ministers say, and bring back the message to their ridings. You know that when it comes to roads, people will thank you or people will judge very harshly.

It's a sad state of soliciting when you sit in this House during rotation in question period and see for yourself what's going on, and the rotation arrives to a back-bencher on the government side — hey, your turn doesn't come too often, there are so many — and the member gets up, a little nervous because the welfare of the people back home is at stake, and asks the minister a question about a little stretch of highway: "Mr Minister, please pick me; please deliver me from political defeat that's about to happen. I want blacktop from point A to point B." The minister responds with a great deal of wisdom. He's been tipped off big time; it's been drilled into him in his office each and every day: "I wish to thank the member from so-and-so for the most intelligent question I've had." The member gets up, buys a ticket and hopes the minister picks it, because there's \$300 million missing in the pot so somebody's going to suffer, and when you suffer on road rehabilitation it's politically costly, I can assure you.

However, I started by saying that Bill 55 itself — that's what it's all about — is a good piece of legislation. Some of us say: "It's a nice day for the minister. I wonder who's going to louse it up?" I'm not going to do this. I just remind the minister of the need to be consistent. People are watching. You can't get away with transportation; it's nuts and bolts. You can't do wrongs. It's not Greek mythology, it's not redefining the atom; it's straightforward, puts people to work. People pay. Have you been to the pump lately, sir?

There was a question today about how you give at the pump big time, but that's another story — that too; we're being gouged. Last week I had the opportunity to talk about an act of thievery, about those oil companies turning the patient, the client upside down and shaking him until there's nothing left in his pocket. That's for another time, but we're not forgetting about the kind of voracity, the kind of picking on the consumer that goes on.

We support Bill 55, a small step in the right direction. We commend the minister, people from the ministry, people from the political staff. They've been most courteous in sharing information and in seeking our opinion, and to a degree our input, so we thank people and the minister for choosing to be here today.

The Acting Speaker: Questions or comments?

Mr John O'Toole (Durham East): It's a pleasure to rise today to respond to Mr Pouliot, the member for Lake Nipigon and the former Minister of Transportation. From all I have heard and all of the theatrics, he really is the member from the Stratford area, the Stratford Shakespearean Festival. I mean that in all complimentary ways to the member. I take him with a sense of humour and I think we've got to enjoy his comments from time to time.

However, on a more serious note, a couple of items he mentioned: I believe the first point that must be established in this bill we're debating today is the importance of a balanced transportation system in Ontario, and in that balance road safety is central and most important. This government has listened to the inquiries that have been made and the untimely deaths in Ontario and taken steps to improve road safety. If you look at the very definition of the bill, you'll see An Act to promote road safety by implementing commercial trucking reforms, drinking and driving countermeasures and other aspects of Ontario's comprehensive road safety plan.

1630

When you look at the photo-radar, instead of having the photographer on the highways, we have put real police back on our highways in Ontario. That looks at more than just speed; it looks at violations of the Highway Traffic Act itself.

Also, taking a look at road safety, you have to look at the infrastructure for roads in Ontario. There may be an argument that they've been neglected over the last number of years. I don't hold you totally responsible, but certainly what this government is trying to do in a fiscally responsible way is look after the servicing of our transportation system. We're spending \$350 million, committed this year, for the infrastructure of our transportation system. I might add we're spending \$1.3 billion on public transportation in Ontario. I think the evidence is clear that Minister Palladini is delivering on our promise and the Premier is committed to balance and safety in transportation in Ontario.

Mr Jean-Marc Lalonde (Prescott and Russell): I am pleased to respond to the member for Lake Nipigon. I am also pleased to say I am in favour of this bill. Road safety has to be taken seriously. For many years, we've seen many accidents happening on the highway because of drinking drivers. One of my nephews was killed on the highway because of people taking too much alcohol.

Road safety is very important for the tourism aspect also. In Ontario alone, we get over 272,000 jobs created by the tourism industry. This is the fourth-largest industry in Ontario.

Having those trucks verified on occasion has really brought down the number of trucks that do not meet the requirements of the safety aspect. It was really time that the government came down with this bill.

The only part I'm really worried about is the deregulation of the bus services. I don't think we have the people in place to verify, to make sure the buses coming from other provinces or other countries meet the requirements of the Road Safety Act.

But I am pleased to say that I will be supporting this bill, and the 500 and more people who get killed on the

roads every year — I hope this bill, with the fine that will be implemented, will reduce the number of people killed on these roads.

Mr David Christopherson (Hamilton Centre): It's my pleasure to rise and comment on the speech of my colleague the member for Lake Nipigon. As always, he provided a riveting, eloquent presentation. In addition, this afternoon we also have the benefit of the fact that as a former Minister of Transportation himself he has a great deal of insight. I was pleased that although we had the usual give and take of bantering on the floor, there was an element of respect for the experience that one has, having been a minister, and in particular in this portfolio, as we debate this particular initiative. I remember trying, when I was on the other side of the House, to set aside some of the partisanship and learn from and listen to, particularly, former cabinet ministers who indeed had walked that tough walk.

We of course will be supporting this bill, as my colleague the member for Lake Nipigon has pointed out. But I think it's also right that he should point out that it's difficult for us to accept when the current Minister of Transportation stands in his place and talks about all of the wonderful, wondrous things this government is doing and takes credit for anything it can think of in terms of road safety when we know the kinds of cuts that are taking place directly to the Ministry of Transportation and, just as importantly, to our transfer partners in the municipalities, who indeed are the ones primarily providing the kinds of maintenance and feedback that this ministry needs for us to have an effective network. At times, we do find that a little bit galling.

Also, the issue of photo-radar is one on which even your own Solicitor General, in a moment probably of weakness but certainly honesty, admitted that maybe they moved too quickly. I think it won't be too long down the road when we will see photo-radar brought back, as indeed it should be.

Mr John L. Parker (York East): I'm pleased to rise and add my voice to the remarks of those who have commented on the recent remarks of the member for Lake Nipigon. I'm very pleased that the member has seen fit to lend his support to Bill 55. It took him a while to get around to the point of saying that.

I also have to register some disappointment that, despite the fact that the member registered his support for the bill, I detected very few remarks in the course of his discussion that were actually on the subject of Bill 55. The member took us on a somewhat entertaining, rambling, circuitous dissertation through his personal relations with the existing transport minister and his aspirations for perhaps calling him up and looking him in the eye and having a discussion with him. Whether he's tried that, we don't know. I've had no trouble carrying on a conversation with the current transport minister, and I suspect that the former transport minister, the member for Lake Nipigon, would have no difficulty if he tried that himself.

He mentioned his experiences travelling 120 kilometres per hour on the highways of his riding of Lake Nipigon, presumably in his Cadillac. He mentioned his practice of wearing a seatbelt most of the time, and when he was

transport minister he wore it even more of the time than he had customarily done prior to that.

Oh, and a few gratuitous remarks about the TTC and what have you.

But I'm sorry that one point he failed to focus on, which I think is central to the bill itself, is drinking and driving and the dreadful carnage on our highways that's caused by drinking and driving and the measures Bill 55, brought forward by this government, will take to eliminate and control drinking and driving, which is the keystone of this bill. I think it's the hallmark of —

The Acting Speaker (Ms Marilyn Churley): The member's time is up. The member for Lake Nipigon.

Mr Pouliot: The members for York East, Durham East, Prescott and Russell, and Hamilton Centre chose to respond, and all of their points are well taken. It was not through provocation we did — and unanimity is not commonplace in this or any other assembly. The opposition, under a constitutional monarchy, is there to oppose. The role of a critic is that of a critique: You see the play, you comment on it, and yes, it is a partisan approach.

I know that my counterpart, the minister, is an honourable person. I know him to be sincere and to try to ameliorate. I also know of the difficulties; those I know well. The Premier and the Minister of Finance — buddy, Deputy Premier — are very close together. The Minister of Transportation, along with others, sometimes is disturbing that closeness, that peace, by pulling on the blanket. If you're a member of the cabinet, don't you wish you were a member of P and P? Sean Conway knows that very well; he wrote the book on it. If you're a member of P and P, maybe you should be a member of the Premier's office. He does the best he can but he doesn't have the clout to disturb the serenity, the bond between the Premier and the Deputy Premier.

The Acting Speaker: The member's time is up. Further debate?

1640

Mr Jerry J. Ouellette (Oshawa): It's a pleasure to rise after hearing the opposition and the third party both throw their support behind this. We've had numerous meetings and we believe we've brought forward some fair and reasonable legislation here.

My colleague the Honourable Al Palladini spoke about our government's commitment to road safety. I am here to lend my support to this bill, which carries out part of the blueprint the government established with Ontario's plans for road safety. The government has 92 initiatives to make Ontario's roads safer. Today our focus is on five of these items.

Unsafe trucks are a major concern for the public. By increasing fines, some by 10 times what they are now, we are addressing the problem of truckers who treat our current fines system as just another cost of doing business. In so doing, we are adding a strong financial disincentive to the range of penalties truckers now face for ignoring Ontario's safety laws. We are also opening the door to a conduct review system for the trucking industry similar to the demerit point system in place for all drivers. It bears repeating: Bad truckers have no place on Ontario roads and we are going to see that they are removed.

Drinking and driving is also an issue that worries the Ontario public. We are tackling that problem with the introduction of the administrative licence suspension. This means that drivers who blow more than 0.08 into a breathalyser will have their licences suspended by the registrar of motor vehicles for 90 days. Appeals of the administrative licence suspension will be allowed on only two grounds: mistaken identity or where there is a medical reason why a driver cannot blow into a breathalyser. We want drunk drivers off the road immediately; we don't want to wait, possibly giving them the opportunity to injure or kill another motorist in the meantime.

A suspended licence is a sign of a dangerous driver. We believe that suspended drivers must be responsible for their actions, and that includes covering the costs of administering their suspensions. Until now the taxpayer has been paying to complete the paperwork required to reinstate the licences of drivers who have completed their suspensions. No longer; suspended drivers will now have to pay a \$100 fee to have their licence returned. We think that's only fair.

Finally, we all know seatbelts save lives. That has been proven time and time again since they were introduced more than two decades ago. We want to make sure all Ontarians buckle up. That is why we are making it much more difficult to obtain exemption for medical reasons. The Ontario Medical Association has clearly stated that there are no valid medical reasons for not wearing a seatbelt. This legislation reflects that by tightly controlling any such exemptions.

We want Ontario's roads to be as safe as possible. This bill takes us one step closer to that goal.

The Acting Speaker: Any questions or comments?

Mr Parker: I'm happy to add this comment to the remarks just made by my friend the member for Oshawa. I was taken with how succinct and direct his remarks were and how clearly they outlined the essential points of this legislation and made it clear for anyone listening just what this legislation is about and the important reforms it will bring to the traffic laws in this province.

I repeat that, to my mind, one of the single most important and significant elements of this legislation is in the area of drinking and driving. We are all aware of the serious hazards of drinking and driving in this province and throughout North America and perhaps throughout the world. Certainly in this province it is at an absolutely unacceptable level, the degree to which there is damage on the highways, injury on the highways and deaths on the highways as a result of drinking and driving.

Bill 55 helps to address that by introducing an automatic licence suspension when someone is caught drinking and driving. It's immediate, it's swift, it's definite and it takes the guesswork out of the whole process. Someone who drinks and gets behind the wheel of a car in this province knows, as a result of this legislation, that at the very least they're going to lose their licence for the period specified in the act — no ifs, ands or buts. If anything is going to help address the problem of drinking and driving in this province, it's going to be that kind of swift, sure result from a finding that someone has been drinking while they're in control of a vehicle.

I'm very pleased that we have the support of the two opposition parties on this point, and I look forward to their support when the bill comes to a final vote at the end of the debate. This, to my mind, is the essential, the most critical element of this bill and I'm very pleased with the emphasis that my friend just gave to it in his remarks in support of this legislation.

The Acting Speaker: Further questions or comments? If not, the member for Oshawa.

Mr Ouellette: I just feel that it's good that we can bring all the parties together to put forward some legislation that's going to be beneficial to the drivers of Ontario and to make this a safer place that we can actually be on the roads.

There were some comments earlier on about possible problems on the golf courses or extended hours, but I feel it's necessary to mention that what we're doing there is giving individuals the opportunity, because we believe that people are responsible and that they will act responsibly.

We believe that those people will follow through with their actions. Again, we thank them for their support and look for the support on the final reading of the bill.

The Acting Speaker: Further debate?

Mr Sean G. Conway (Renfrew North): I want to rise to make some comments with respect to the matter before the House this afternoon, which is the second reading of Bill 55, the Road Safety Act, 1996. Like previous speakers, I want to indicate at the outset that I intend to support this bill, and in offering my support I want to offer some observations, some general and some particular.

I should begin by observing that, and I hope I don't sound immodest in saying this, that I have a vested interest in this bill. I, perhaps more than most people, live on the roads of Ontario and have for the last 21 years. I drive about 90,000 kilometres a year through urban and rural Ontario, through winter and summer conditions, and when I think of what I see and what I encounter and what I observe, some of the changing habits of the highways of Ontario, it is with a very real personal interest that I will endorse anything that improves the safety of Ontario highways.

I must say — and I'm pleased to see the Minister of Transportation with us this afternoon — my sense is that behaviour on the highways of Ontario has deteriorated for a whole host of reasons, and I certainly don't blame the current government any more than I would blame predecessor governments. There is something happening. It may be the pace of life, it may be technology, but when I think about the kind of etiquette that I used to encounter on the 401 between Toronto and the Quebec border on a weekly basis 20 or 25 years ago as compared to what I experience today, it has not gotten better.

1650

This bill is also a matter that would tempt many of us, myself perhaps most especially, to wax moralistic, and I think we should all be rather careful to avoid that tendency, because if we are honest with ourselves we all know that few of us don't appreciate how it is that some of the motoring public mix drinking and driving. I'm not here to applaud that, but I'll tell you, I have worked in this place for 21 years, and when I just think about this

workplace and the conviviality that has sometimes overtaken the place late in the evening or early in the morning, and I observe the behaviour of all honourable members, I recognize the pressures in a regular human life that sometimes draw one to the borders of sin and illegality. So while I think we can agree —

Interjection.

Mr Conway: I don't want to get too personal here, but my constituency touches a place called Frontenac-Addington. Boy, I remember some speeches not too long ago about the first-order importance of virtue. I think that we have an obligation, all of us, to set a good tone. This is about, in principle, public safety, and I hope there isn't a member in the chamber who does not want to support reasonable measures that will advance public safety.

I also live on the Quebec border. I am sick and tired of picking up the Sunday and Monday papers and reading, as I do all too often, of the carnage of the Friday and Saturday night interprovincial traffic that kills altogether too many people, generally young people, and almost always with liquor involved. So am I opposed to drinking and driving? Absolutely. But I don't offer myself as any kind of saint. My colleagues, certainly in my own caucus and those who've been around a while, know that a saint I am not, but we have to be, I think, realistic.

One of my observations over the years is that the best law that we legislate, we write in this place, is the law that is understood and that has some hope of being accepted. Again, I'm from rural Ontario and I get a little annoyed sometimes when I hear people from Ottawa-Carleton or Hamilton-Wentworth or Metropolitan Toronto, where there are fairly substantial, and understandably so, urban transit systems. But you know, if you come from rural Grey or rural Renfrew, your licence is your ticket to work.

So as long as people understand that to take a licence away — and I believe that there are circumstances when licences should be withdrawn. I can't think of a better one than those circumstances where people clearly have shown a willingness to drink beyond legal limits and drive or attempt to drive. But I just want to say to the assembly this afternoon, that if you take away a licence from somebody in rural Renfrew you are probably putting that person out of work for a period of weeks and months.

You can say, and I would say, that there are responsibilities that attach to citizenship and if you are prepared to break the law, you have to be prepared to accept the consequences. But this is a policy that will impact differentially on urban and rural citizens. It is just a useful thing I think for people to remember that, that my chance of getting to work if I live in Metropolitan Toronto without my driver's licence is probably a greater chance than if I live in rural Renfrew or rural Kent or in rural Grey, to name but three examples, where if I lose my licence and can't make an arrangement with a friend or a colleague, I probably have lost my job for the period of the suspension.

But I want to say to the minister that I support the basic policy because I do think that there is a real, ongoing problem with drinking and driving.

I remember a conversation with now Chief Justice Roy McMurtry, then the Attorney General of Ontario, some years ago. McMurtry made a very telling observation at that point, now back in the mid-1980s I think it was, when we were trying to ascertain what was it about government action that appeared to be having some marked improvement on changing attitudes of drivers or would-be drivers about drinking and driving. I remember the answer to the question and I thought it was a very understandable answer, that we appeared to start to make a very real impact on drinking and driving in Ontario a decade or so ago when people began to realize and believe that their chance of getting caught went up appreciably.

If you think about it, it makes sense. I remember one night about that time, it was a Friday night in December, and on my drive from Toronto to Pembroke I was stopped by not fewer than three RIDE checks. I'm going to tell you, that kind of an experience really sobers one up to the thought that —

Interjection.

Mr Conway: But my point is, and I think the then Attorney General's point was, that we really began to improve the situation when we began to really make people understand that their chances of getting caught were much greater than they had been previously.

I raise that point, Minister, because I know you know that this kind of legislation, without ongoing and significant RIDE programs, is not going to produce the benefits that we all want. There has been a sense — it has certainly been my sense — in the last few years, for whatever good or bad reason, that the vigilance around and the frequency of the RIDE program have been slipping. You probably have some numbers to indicate that's not the case; it's certainly been my impression. I say that Bill 55, which I support, is only part of a piece. If we do not have rigorous and vigorous RIDE enforcement, and a rigorous enforcement that is seen to be and known to be rigorous and ever-present, then I don't think we are going to have the kind of results that we all want.

I want to say something else about companion initiatives. Our good friend Mr Sterling, the minister responsible for liquor policy and Minister of Consumer and Commercial Relations, is not here, but I want to make this observation from my own experience, again both in Ontario and in Quebec. It's hard — and I want to commend the member for Nepean and Mrs Marland. They've been very active, as have a number of members on all sides, in trying to initiate and support good programs with respect to drinking and driving in their areas. In fact I heard a program on CBC Ottawa a couple of weeks ago on which the member for Nepean was the guest and I thought it was quite a good program.

There's no question, I think we've all had — I know I have had friends and relatives killed, maimed. A cousin of mine is head-injured for the rest of her life; just a nightmare when I think of what my aunt is going to live with for the rest of her life and how my cousin's life was ruined in Haliburton as a university student a couple of years ago when some drunk ran into them and killed two of them and seriously maimed my 20-year-old cousin. We've all had those experiences. If we haven't had them

in our own family, we know of cases that are of that kind.

I want to come back to the point I was making in involving Mr Sterling. I think, and I make this as an ecumenical observation, that we have been altogether too soft in this province when it comes to really taking a tough position with those drinking establishments that we all know are really bad cats. I'm not talking about the good people, obviously, or even the people in between. Let me be very specific. In my part of eastern Ontario, I can almost predict. Between the establishments in western Quebec and eastern Ontario, it's tragically predictable where the bulk of the problem arises. How some of these people keep provincially issued licences is beyond me.

The worst offender that I have in mind happens — and I hope I'm not being unfair when I say this — to be an establishment just across the interprovincial bridge at Pembroke in the province of Quebec. I've played a lot of sports in my day and some days I'd like to be Speaker because my experience is that there comes a time when non-verbal communication is what is required.

With these egregious misconduct artists, I think the debate's got to end. For those liquor establishments, those drinking establishments, which by any objective measure are bad, never get any worse, just thumb their nose at the OPP and the QPF and the Ontario liquor licence commission and the Quebec licence commission, I say there comes a point in time where the debate ends and you, Harry or Mary or Charlie or Frances, lose your licence, end of debate.

Unless and until that kind of enforcement takes place at that level, why would anybody change their behaviour? It's like going into a corner with Gordie Howe and your chin up and your elbows down. I'm sorry; if you break your jaw, don't come to me crying.

There is a point where I think we have to say the minister of highways is not a sole actor in this. We're now going to be easing liquor regulations, and some of that I understand, but surely the collateral piece of that is that for those drinking establishments which by any objective standard have a well-known, well-demonstrated pattern of misconduct and misbehaviour, there has to be more than a slap on the wrist. I think that's a piece of this policy that has to be there as well.

1700

My impression over the years has been — in fact I know the liquor licence board revokes licences. But I tell you, I look at some of these bad operators and ask myself, how do they keep their licence? How do they manage to do it through Tory, Liberal and NDP administrations? What is it? Is it just a collective incapacity? Does the OPP not talk to the LLBO? There used to be a time when for politicians, that was the best patronage we had to offer, the old liquor licence business, so we were in a complete conflict of interest. You couldn't crack the whip on the tavern keepers, because where would your campaign fund come from next time?

I'm certain we've advanced beyond that point, but I say to the Minister of Transportation that Bill 55, without a more vigorous RIDE program, without tougher enforcement by the Liquor Licence Board of Ontario aimed at bad actors, and I mean the really bad actors, if those

kinds of initiatives are not pursued, I think Bill 55 stands rather naked and rather likely to produce much less than the minister and his colleagues on the treasury bench would hope for.

I presume, Minister, that this bill has been carefully vetted with the cognoscenti in the department of justice, because there are significant issues involving civil liberties that attach to this policy. I'm not a lawyer — some of my illustrious colleagues from the law society will probably speak to this at a later point — but we do have something called due process, and we are not allowed as politicians — and certainly the charter makes plain that just because we believe in our political hearts and souls that the end is a desirable one, we are not allowed to simply throw due process to the wind. I am assuming that the department of justice has given its support to the loss of that civil right, which is the right to drive, for a period of three months, which is a significant penalty.

I make the point again that there is no doubt that if we are going to change bad behaviour, we are going to have to and we are going to have to be seen to be tougher than we have been in certain cases over the years. Growing up in the Ottawa Valley in the 1960s, I tell you, the attitude around drinking and driving was very casual. It has changed, and I think it is to the credit of parents and the school community, business, labour, the police forces and a variety of others who are community leadership that attitudes have changed. There is no doubt that people today, young people growing up, have a better attitude around drinking and driving than was the case when I was a teenager in the 1960s. But we are far from where we need to be to ensure the kind of public safety that the motoring public expects.

I want to say a word finally about the truck business, truck safety. It used to be when I travelled around particularly on the 400 series highways that the best drivers, both in terms of skill and courtesy, were the truck drivers. I guess the car drivers have so abused the truck drivers that the truck drivers have decided to be as bad as many of the car drivers. In the last few years the etiquette of a growing number of truck drivers has become quite worrisome. When you marry that kind of aggressive driving with what we know to be a deteriorating condition of the rigs on the road, yes, I certainly agree with the minister that tougher penalties, tougher sanctions are the order of the day.

I have talked to a number of truck drivers and transportation company executives, business people in my part of eastern Ontario and I think good people will endorse this legislation, although they will expect from the minister of highways some reasonable administration of the policy. People I represent in rural eastern Ontario often say: "Yes, we want to oblige, we want to do as the ministry would have us do, but we've got rules that fail to take into account that this is a large province. Northern and rural Ontario have some different imperatives in terms of just meeting the standard that this government and previous governments would want."

The whip has arrived and she's giving me the high sign, and when the whip does that I oblige forthwith.

I support Bill 55. There is no question that we have to send a strong signal to those who would drink and drive that there are going to be tough sanctions. As well as enact tougher sanctions, we have to support this kind of policy with, as I said earlier, a more rigorous RIDE program than I've seen in recent months and years and tougher enforcement by the liquor board with respect to those bad apples in the barrel where licensed establishments are concerned. I simply say to the minister that a good policy is a policy that can be fairly and sensibly administered, not just in urban but in rural Ontario as well.

The Acting Speaker: Comments or questions?

Mr O'Toole: It's a pleasure to respond to the member for Renfrew North with regard to Bill 55. I take it from my reading that he pretty much agrees with the bill.

He made a couple of points. With respect to transportation safety, I think it's an important thing, but in fairness to those responsible operators and business owners in Ontario, in the recent road blitz on truck safety there were 500 more trucks pulled over, and of that total, in a zero tolerance environment, I might add — this wasn't just a token audit; this was a very important audit — there were more trucks pulled over, and in the last audit in 1995, 43% of the trucks were found to have failed the test; this year it was down to 39%. In all, I think most of the companies are responding. They're responding to reports. For example, in the Oshawa area one of the constituents of Jerry Ouellette's was involved in a fatality, and the coroner's report — this has alerted the commercial businesses to become more responsible, and this bill gives them some motivation to be more responsible.

There's one other aspect the member mentioned: the automatic or administrative licence suspension. I really believe that this is an important one to address the civil liberties issue, but I think people can avoid being arrested by simply recognizing that it's no longer socially acceptable to drink and drive, period. That's the answer, the solution.

If you want to look at the prescriptive nature, it's in section 48.3, which deals with licence suspension at the roadside. In fact, it's the registrar of motor vehicles who is duly empowered to suspend the licence, not the police officer at the side of the road, after there has been a proper breathalyser test done and the 0.08 has been blown. This is to come into effect, it's my understanding, in October 1996. People should recognize that this bill is focused on cutting out the carnage on our roads in Ontario.

1710

Mrs Elinor Caplan (Oriole): I think my colleague the member for Renfrew North raises some very good points about this bill. We all know that drinking and driving is something that we would like to see eliminated. We also know that there are those who have their licences rescinded and they continue to drive, and there are those who drive without insurance, and therefore enforcement is a very serious problem in this province.

Existing legislation has the principle of an automatic revoking of licensing. Right now it is 12 hours. That has proven inadequate, given the inadequacies of the court

system. Whether 90 days or 30 days would be a better solution, only time will tell. This legislation provides for a 90-day suspension. My own view, and I think it is in full agreement with my colleague from Renfrew North, is that while this legislation is supportable, there is much that needs to be done in the area of enforcement, because we all want to see drinking and driving eliminated in the province. It is a significant safety issue. My constituents in the riding of Oriole, I think, agree wholeheartedly that those people who drink and drive should have their licences suspended.

There are some concerns about those people who might be found not guilty after they have had the opportunity of going to a trial, and so we would like to see these things dealt with as expeditiously as possible. But certainly if there's any issue that captures the hearts and the minds of the people of the province, it is that those people who drive when they are drunk deserve little mercy.

I want to add my support for the legislation, but also my pleas to the government that it steps up enforcement on those who are driving with licences that are under suspension and those who are driving without insurance and those who are generally making our roads unsafe. We hope the government will take action.

Mr Tilson: Just a few comments: The member for Renfrew North, I believe, has indicated his support for the bill but has given some suggestion that perhaps people in the rural areas of our province will be treated less equally than people in the city, who have access to transportation. I certainly can understand that because I represent a semirural area in my community.

I think the problem is that we all know that whatever we have isn't working, with the terrible accidents that all of us can relate personally. The member gave some personal examples. I live in Caledon, and the accidents we have in Caledon are just horrendous, young people involved in drinking and driving, and it's just tragic.

A few years ago it used to be that you could have your licence suspended but you could drive during the week. There were strange little rules about whether it's incarceration or driving for economic reasons.

These accidents are so serious and so horrendous that my only response to the member who is trying to distinguish, or appears to be trying to distinguish, to be fair to him, between rural driving and city driving is that these accidents are so horrendous, that's how serious it's going to be. Whether you live in the country or the city, if you drink, you've got problems, and if you don't drink, you shouldn't have any problems whatsoever.

A few years ago, who would have thought that today we'd have designated drivers. It's almost a common language, that type of attitude. I think that's the important thing, that the laws we're passing are developing, I believe, an attitude with respect to drinking and driving.

I am going to support this legislation, as the member for Renfrew North does, and I hope the rest of the House does as well.

Mr John C. Cleary (Cornwall): I just want to thank the member for Renfrew North for his fine speech, and I just want to put a few things on the record.

The OPP should be on the highways protecting safety, to do what they do best, and I'd just like to read a letter:

"Dear Mr Cleary,

"I would like to bring to your attention an incident that occurred a few weeks ago. I am presently employed by a Cornwall tractor-trailer driver.

"After delivering a load in Montreal on May 2, I returned to home base in Cornwall with 4,000 pounds on the trailer. At approximately 11 am, I stopped at the automatic weigh scales in Lancaster, Ontario. After entering the scales I was asked to go forward, back up and go forward again" so that all the axles could be weighed. "Eventually, I was given the green light and was able to leave after 10 minutes in the lane. I was under the impression that this scale house was fully automatic and I feel I should have driven over the scale instead of being stopped with only 4,000 pounds....

"At that time, I realized that the individuals who were working in the booth (one inside and one outside) on that day were OPP officers. Since when do the provincial police operate the scale houses? What has happened to the MTO officials? Could you please find out for me how long the OPP have been running the weigh scales and what happened to the MTO officials?

"Thanks for your help.

"A concerned citizen."

I know that incident has happened a few times in our part of Ontario and, as I said in my opening remarks, I think the OPP officers should be on the highway, doing what they're trained to do — stopping traffic accidents and not running weigh scales.

Mr Conway: I want to thank my colleagues for their observations and responses. Let me be clear: There has to be one law and it has to be applied uniformly across the province. I'm not here arguing, I say to the member from Caledon, for two sets of rules, but I am asking the assembly to understand that there are different realities in this province. Personally, throw the book at drinking and driving. You're not going to offend me if you do that; you're going to protect me.

But I'm sure there are others in this assembly on all sides who would probably have had my experience of going out and talking and listening to the OPP detachment people in places like Apsley and Killaloe and Whitney and hearing what they say about what is actually going on. When the law becomes an ass because it's not abided by, what benefit have we got? Let me be clear: I support Bill 55, I want the book thrown at people who drink and drive, but I want a law that can be and will be seen as enforceable. It does me no good at all to come in here and have these tub-thumping speeches about virtue and public safety and then find out we've got good, hardworking men and women in the employment of Her Majesty's provincial government out in the regions saying, "I know what you intended, but let me tell you what's really going on."

I want the behaviour changed. I want the incidence of drinking and driving reduced, hopefully to nothing, though in humankind that might be a lot to expect. I will support Bill 55, and I'll feel just a little more comfortable if at the end of the process we've got something that the enforcers can actually —

The Acting Speaker: Thank you. The member's time has expired. Further debate?

Mr Len Wood: There are a lot of good things in Bill 55 that I will be supporting, when we're talking about truck safety, about tightening up seatbelt exemptions, about driver suspension for impaired drivers, people who drink. There's no doubt that the blitz that was started by the NDP government in terms of truck safety is still being supported. I congratulate the Ontario trucking industry for continuing the support to tighten up and crack down on truck safety that, as I said before, was started by the NDP government and is continuing.

I want to cover some of the other areas. When we're talking about highway safety, as far as I'm concerned, anybody in this Legislature would be supporting whatever is needed to make the roads a lot safer. But the Conservative government campaigned on the abolition of photo-radar, which means it legalized the speeders on the highways. They're encouraging people to drive faster by abolishing photo-radar. I'm sure this makes the Minister of Transportation happy, because he was part of the cabinet decision that abolished it. That, to me, doesn't make the roads safer.

I've talked to a lot of OPP officers out there. They're very unhappy as well that their lives are being put at risk now, because they're expected to go out there in the six-, eight- or 12-lane highways and pull over speeding drivers. Their lives are being put at risk as a result of abolishing photo-radar. They're not going to do it. We don't want to see our law officers being put at risk as the result of a decision that was made in the heat of an election campaign, "We don't think photo-radar is good, and some people in southern Ontario would like to get rid of it, so we'll abolish it." As a result of that, they've put people at risk.

1720

When we look at Bill 55, and we're talking about road safety, there are other areas in it that probably could have been covered better, but I will support Bill 55.

The cutbacks have taken place not only in northern Ontario but right across the province. When you talk about reducing the money that's going for municipal roads by 50%, as a result of money not going in the municipalities either have to raise their property taxes or they allow the potholes to increase on all the roads, not only on highways but on municipal roads.

I believe that potholes cause accidents. I listened to the member for Nickel Belt explaining that one person never saw an accident in his life; since the Conservative government got elected a year ago, he blew two tires making a trip of about 500 kilometres because of the potholes he had hit. This is a direct result of the cutbacks that are taking place. Some of the cutbacks are, like I said before, as much as 50%.

Mr Steve Gilchrist (Scarborough East): It didn't happen overnight.

Mr Len Wood: We hear some people on the other side saying the cutbacks don't make the roads more unsafe, but we know for a fact that they do. It costs money to maintain roads, and you see that just in the northern highway budget over the next two years they've cut \$11.5 million in funding.

We went through major cutbacks last year. During the wintertime the roads were not safe. The only solution they had was: "We don't have the snowplow operators or the sander operators or the people out putting down salt. We can't afford to keep them on the payroll." They laid off 125 of them. Then they take the OPP away from enforcing the laws of this province and they say: "You go out and put up roadblocks and block off the roads. This is going to be your job, to make sure that no traffic goes through for the next two or three days or whatever until we can find people to go out and plow the roads."

From what I understand, they've even gone one step further now. Instead of just contracting out all winter maintenance, they're going to close down most of the MTO yards along Highway 11 and probably along Highway 17 and contract out all the work and get rid of most of the permanent employees who were there. They're there for a reason. When you have potholes that show up in the road, they go out and fill them so that they're safe roads to travel on, and also in the wintertime they can have the roads plowed and sanded and salted so that people can travel safely.

Everybody in this province believes in safety. Nobody wants to see innocent people die on our highways, especially if it's the result of a tire falling off a transport or off a bus and going through somebody's windshield. Anybody in this Legislature will support that. I support the legislation in Bill 55 that talks about getting drunk drivers off the road and about immediate driver suspension. It will go a long way to clean up the roads and make them a lot safer.

When we're looking at the proper design and maintenance and the infrastructure for the roads, it's okay to say we're going to clamp down on the transports that are unsafe, which I support. They don't have proper brakes or the wheels are falling off. I support people wearing the proper seatbelts, I support people not being allowed to drink and drive, but I also support the fact that we should not be cutting back on the money that is needed to repair this infrastructure, because if it is not repaired now — and it's quite obvious that this Conservative government has no intention of repairing the roads or maintaining them in a proper condition; they are going to let them deteriorate — this is going to be a debt that is going to be carried over for the next government or the government after that.

We saw in previous governments, not in the last 10 years, but prior to that they borrowed every year, never had balanced budgets, and yet let the roads deteriorate to a point where it took 10 years of spending to get them back into half-decent shape. Now, the last 12 months, we can see that the roads are deteriorating drastically again and we're back to the same government that was in here for 42 years prior to that.

The Minister of Northern Development and Mines was always responsible for helping to maintain the roads and repair them throughout northern Ontario, and now we see that is not going to happen. What they've done is abandon all the transfers, or cut them by 50% to all of the municipalities. They've even cut the money off that is going to airports, and as a result, municipalities are either going to have to close down their airports or they're

going to have to increase the property taxes in places like Hearst and Cochrane. I don't know yet what is going to happen with the airport in Kapuskasing, because it's a federal airport and they're negotiating the takeover of that.

The list could go on and on with the amount of cut, slash and burn and disrespect for the people in the province. We don't have public transportation in northern Ontario in most of the communities. There's no public transportation in any of the communities that I represent, and as the member for Renfrew pointed out, if a person loses their driver's licence, in a lot of cases they also lose their job, because we don't have the GO train or the streetcars or the bus system that is subsidized by in some cases 50% and in some cases 75%.

We had a little portion of our air transportation through norOntair that was being subsidized by the government and they said, "Even though we subsidize transportation in Toronto, in Windsor, public transportation in these big communities, we are not going to allow any money to be used to subsidize air travel in northern Ontario." As a result, in three particular communities we have three different air carriers that have been in there, and now it looks like at least six of the communities are going to lose proper air travel to get to the larger centres for medical reasons or for doing business or whatever.

It's a direct result of Mike Harris and his cabinet deciding: "We're going to write northern Ontario off. We didn't elect anybody from northern Ontario in the last election and we're going to completely write off northern Ontario. All the money that comes out of there for the natural resources, the lumber, the pulp and the paper we're going to gobble up. It's okay to subsidize public transportation in other cities, but we're not going to allow it to happen in northern Ontario." People are angry.

As I said earlier, I'm supporting most of the aspects of Bill 55 because we're talking about road safety, but I'm concerned and fearful that the road system is going to deteriorate and we're not going to have any law officers to enforce the rules. You can make all the laws in Ontario that you want. If you're going to lay off all of the people who should enforce them, the inspectors, reduce the OPP officers who are out there, reduce the municipal police by cutting back on their transfers and cutting back on everything, all the laws the Ontario government brings in, if they cannot be enforced because of the cutbacks in manpower, are of no value.

I'll wrap up at this point. In terms of truck safety, tires falling off trucks, buses, drinking and driving, seatbelts, safety on the highways, I don't want to see any of my friends, neighbours or children crippled for life or killed because of not having strict enough rules and legislation in this province, so I'll be supporting Bill 55.

1730

The Acting Speaker: Questions or comments?

Mrs Margaret Marland (Mississauga South): It is a particular pleasure and a personal interest for me to support Bill 55, not the least of which reason was a very tragic death in my riding in the summer of 1994 when a young man by the surname of Lavery was killed by a drunk driver. The significant thing about that death was that this was the second person this woman driver had

killed. She had killed somebody in I think 1988, and then in about 1992 she put someone in a wheelchair for life, and she now had killed a second person. My concern about drunk driving, which had always been a tremendous concern on my part, became accelerated by that particular tragedy and the grief of the Lavery family and the tremendous loss of a very wonderful young man who was doing extremely well at university and was being scouted for the major leagues in ball.

That fall, I introduced a private member's bill which included automatic licence suspension. During my research for that bill, I discovered that in the most recent year we had figures for, we had 30,000 convictions for drunk driving in this province in 1992, 59% of whom were repeat offenders. The subject of trying to curb drunk driving is one that I know all of us in this House share.

My private member's bill actually died on the order paper because the New Democratic Party government did not call the House back. I'm looking forward to re-introducing that bill. In the meantime, I appreciate very much that our government has introduced part of it in Bill 55.

Mr Christopherson: It's my pleasure to rise and compliment my colleague from Cochrane North on his very effective speech. Many of us in southern Ontario don't fully appreciate the differences in lifestyle and in priorities, many times, between those of us in the south and those of us in the north. The member for Cochrane North has consistently, from the time he was elected to this place on September 6, 1990, provided an effective voice for the north in making sure that northern Ontarians are not forgotten, so it doesn't surprise me that much of his speech centred on the fact that this government indeed seems to have abandoned the north entirely.

Historically, we know northern Ontario has had to fight to get the kind of attention it needs. They have specific concerns around health issues in particular, but in any kind of service provided by the provincial government, they've had to fight that much harder. This government, and it seems for no other reason we can ascertain other than that you didn't elect any members in northern Ontario, has decided they can go ahead and abandon the needs of northerners.

When you're talking about the vast distances one does in the north, the road system is as crucial to you as the health system and as the education system, perhaps more so than to the rest of us here in the south where we've maybe got alternatives. When we see over \$11 million cut and over 125 staff from the Ministry of Transportation laid off in the north, I think it makes the case that indeed you have abandoned northerners.

The other point I'd like to make is that while this government talks about anti-drinking-and-driving measures, it's the same government that cut funding for public education programs around that very issue, and we ought not to forget that.

The Acting Speaker: Further questions or comments? If not, the member for Cochrane North.

Mr Len Wood: In the minute I have to wrap up, I just want to thank my good colleagues the member from Hamilton and the member from Mississauga for their comments.

Our invitation from the northern caucus is still there. We've asked the Minister of Transportation to come and take a tour. Don't just fly over northern Ontario and stop in one place and have lunch with a few people from the chamber of commerce. Take the road and travel through northern Ontario and see what it's all about. In the amount of time he spent filling up potholes on Highway 400, he could have flown to Timmins and Cochrane and Hearst instead of doing the work the contractors should be out there doing. The invitation is still there that he could put his suit back on, instead of coveralls, and get out there and do the job he's supposed to be doing in administering the highways in the province.

I would hope he would lean over and remind the Minister of Northern Development and Mines that you've neglected northern Ontario enough when it comes to highways. He's supposed to take some responsibility for it. He hasn't been doing it. With the three ministers who are responsible for all the province in reality, at least 80% of it — the Minister of Municipal Affairs and Housing, Mr Leach, Mr Palladini and Mr Hodgson — take some responsibility and go out and do the job that is supposed to be done. We all know they want to save dollars and they want to have good safety on the roads. I want that as well, but I don't believe we have to cut, slash and burn all the subsidies in all of Ontario to achieve that.

The Acting Speaker: Further debate?

Mrs Lyn McLeod (Leader of the Opposition): I rise to speak really just to one part of this bill, and that's the proposal for automatic suspension of a driver's licence for 90 days when a blood alcohol test is over the legal limit.

I know there have been concerns expressed both within the Legislature during this debate and outside the Legislature about such issues as guilt being determined before there is actually a trial and conviction. There are concerns about the length of the suspension and whether 90 days is appropriate. There have been concerns about the impact of this particular measure on those who drive for a living. I would suspect there might be some modifications that could be considered as a result of debate. But I rise in support of this part of the bill because I think the purpose of the bill is one that we have to support, and that is quite simply to get drivers who drink off our roads.

I, like other members who have spoken, am not objective about this and I'm not even particularly political about this. All of us have personal anecdotes. It was 12 years ago that my eldest daughter, along with three of her friends, was involved in a car accident where they were hit by a drunk driver driving with one arm and no licence. It was only 7 o'clock in the evening. It was before the time when parents even start to worry. There was another car involved, and that car had a mother with two young children in it. Thank goodness, none of the people involved in that accident was killed. But I will never forget, as a parent, the sheer anguish of the time between being called and told that my daughter was in an ambulance on her way to the hospital and my knowledge that my daughter would be okay. I therefore can somehow share the anguish of those that is so much greater when the result is not as fortunate as it was in my daughter's case.

I believe we must do whatever we can do, take whatever additional measures can be helpful, to stop the carnage on our highways. Our primary concern surely has to be for the future of victims and for future victims.

I also have to recognize that I would be very concerned, and I want this to be on the record, if this government was in any way setting a rule here which it does not intend to enforce because cuts get in the way.

I was very deeply disturbed some time ago when there was a leaked ministry document from the Solicitor General's ministry that proposed that one of the cuts that would achieve the target for cuts for that ministry could be a \$4-million reduction in the OPP RIDE program. I was extremely relieved, and let me acknowledge that as well, that in the last budget there was in fact an increase in funding for the RIDE program of some \$1.2 million. It would, in my view, have been absolutely unthinkable — absolutely unthinkable — to have considered cutting the RIDE program, and I'm surprised it was even on a list of items to be considered. It's my understanding that the RIDE program has been the single most effective way of ensuring that we do not have accidents as a result of drunk driving on our roads.

I know from personal experience, anecdotal as it may be, that the RIDE program, together with some more stringent measures for punishing those who are involved in drinking and driving, was the underpinning for the success of the designated driver concept.

1740

I know again from the anecdotal experience of being a parent of four daughters that the understanding of the designated driver concept — young people knew, and adults for that matter knew, that if they were to be caught drinking and driving, the penalties would be extreme and therefore they had better make sure that one of the people they were with in the evening was not going to be drinking. That brought about an unbelievably dramatic, almost a generation gap in the incidence of drinking and driving in a very short period of time. I certainly saw it in the difference in the experiences of my four daughters in high school.

With my two oldest daughters, there was a constant concern about whether there would be drinking and driving among their group. It was a standing rule in our household that you had to call home for a ride rather than take any chance of getting into a car with somebody who wasn't sober. Four years later, when my two younger daughters were in high school, it was much less of a concern, because that idea of a designated driver had become part of the social norms for their gangs.

I was talking to the executive director of MADD last week and he told me that kind of anecdotal experience has been verified by the statistics they now have that show that the difference that was created by that combination of programs has followed through with those particular age groups. They're seeing less incidence of drinking and driving in that young adult group which is just now in their early 30s and late 20s. That group over 30 still is having greater incidence of drinking and driving than the young adult group which is just behind them and who had that sense of the designated driver built into the social norms.

I don't think the success is universal, and that's why we need stronger measures. I know for sure that no program of penalties, no RIDE program or no designated driver program would work or will work in the future unless it is backed by tough enforcement on the roads. That's what this really has to come down to, because those who are prepared to violate the rules of drinking and driving are only going to be penalized if they are caught. If they think they can get away with drinking and driving, even the stiffest penalties, such as those proposed in this legislation, will not be a deterrent.

I want to take just a moment as well to express some concern. Although I have acknowledged with appreciation the fact that there has been an increase in the budget for the RIDE program, which I think is so important, I want to express some concern about the \$500,000 cut in the anti-drinking-and-driving ad campaign.

It seems to me that even as we talk about legislation that introduces stricter penalties for drinking and driving, we have to recognize that the goal is not just to punish the bad guys; the goal is to prevent drunk driving and prevent the accidents that drunk drivers cause. Strict penalties will be a deterrent if there is enforcement on the highways so those who drink and drive know they're going to be caught and will pay a price. But awareness is also important, so that the driver isn't getting in a car drunk to start with. I believe the anti-drinking-and-driving ad campaign was an important part of education and it should go hand in hand with this new tougher penalty legislation.

I also believe this government must carry its stated concerns in presenting this legislation, stated concerns for drinking and driving, into other areas its legislation affects. I do think the government is prone to sending conflicting messages, and I know my colleague from Essex South has spoken to this. They cut anti-drinking-and-driving ad campaigns, but they bring in legislation that changes the drinking hours and that introduces drinking on golf courses. Clearly, these regulation changes carry the potential to, almost certainly are going to, increase the number of people who get in cars having had too much to drink.

We are more than prepared to support tough new penalties in the name of doing anything we can do to ensure that we reduce the incidence of drinking and driving and therefore the incidence of devastating accidents caused by drunk drivers. But we are going to hold this government to account. We're going to hold them to account for effective enforcement and for a more consistent effort across all the ministries to ensure that we can discourage drunk drivers from getting into their cars in the first place. It's with that that we will provide our support for this next step in ensuring that we can reduce the carnage of drunk driving on our highways.

The Acting Speaker: Questions or comments?

Mrs Caplan: I will not continue for long except to say that I think the point our leader made, that the drinking and driving ad campaign has been cancelled, is important, especially when we see the government advertising its recent budget. We've seen advertising which is not as important as the drunk driving campaign. I hope perhaps they'll reconsider the allocation of their ad dollars.

The Acting Speaker: Further questions or comments? Would the leader of the official opposition like to sum up?

Mrs McLeod: I'll waive my response time to allow other members to debate.

Mr David Ramsay (Timiskaming): It's a pleasure to rise this afternoon on this very important bill and initiative that the government is carrying forward. It wasn't too many years ago that drinking and driving was considered behaviour that maybe people shouldn't indulge in but behaviour that a lot of people did, unfortunately. We had a lot of carnage on our roads, and it reached a point of epidemic proportions years ago.

Over the years, subsequent governments have really started to clamp down on this. While it was just behaviour that some people indulged in and people at the time really didn't think it was all that bad, we now realize from the government initiatives over the last 15 years that this is murder and that drinking and driving are a deadly mix and that people who do this should incur absolutely stiff penalties.

This culture is something that developed over the years and happened maybe in some regions more than other regions. It was unfortunate that over those years in some cases it became accepted behaviour that people left parties or taverns or bars in an inebriated condition and went behind the wheel and unfortunately in many cases carnage ensued.

From time to time, we still hear of major automobile accidents where this type of condition existed. It's very sad that over the years, especially at this time of year around graduation time, in one or another part of the province we read about a tragic accident with a carload of some of our brightest young people who, with the exuberance of springtime and finishing off of the school year, get into a situation where they're partying, and we can understand young people doing that, but make the fatal mistake after that of getting behind the wheel of an automobile.

If there's anything to be learned from these tragedies of the past and the government initiatives that have come over the years, including this initiative here today, it is that young people watching today, the young people who are in this assembly as legislative pages, really understand the importance of not mixing alcohol and driving.

We applaud what the government is doing in regard to this bill. We certainly have some cautions in regard to legal matters — suspending licences for 90 days with the results of the initial breathalyser test — and the police and the courts are going to have to work through that. But the principle is sound that this type of behaviour is not to be condoned in this province, that this type of behaviour has to stop with people of all ages, because it is causing death on our highways, we're losing a lot of human life on our highways and we cannot have this continue. I am sure all members of this Legislature support this principle and I hope members of this House will support this initiative.

1750

The Acting Speaker: Questions or comments?

Mr Bernard Grandmaitre (Ottawa East): I'd like to add my voice in support of Bill 55 for a number of

reasons. As pointed out by the previous speaker, around this time of the year young people from colleges and universities do have a tendency to celebrate their year in school and forget about the consequences of drinking and driving. I hope that Bill 55 will ring a bell for people who take advantage of drinking and driving.

At the same time, if I may speak to the bill directly, I agree with the 90-day suspension but I would like the minister to realize that some people might be suspended for a full 90 days before they appear in court. Our court system has to realize that some of these people may not be guilty. I think it has to be proven by our court system. I hope that our court system will improve and bring these people to justice, bring these people to court as soon as possible.

Also, a number of us have pointed out that yes, we realize that the RIDE program has more dollars, the government is investing more dollars this year. I think more dollars are needed to improve the RIDE program and also to have more police officers on the road protecting innocent victims. In my own riding I can relate to a number of —

The Acting Speaker: Thank you. The member's time has expired.

Mrs Caplan: In the few minutes remaining in this debate, I guess the comment I want to make is that drinking and driving is something which has not only become socially unacceptable but I think the statement we're making in this Legislature is that we want to make the strongest possible statement: We want to stop it. The concern I have is that it's fine to write legislation, but if nobody pays attention to it the legislation is only as good as the enforcement that goes along with it.

While I am pleased that we're going to see greater RIDE program enforcement, we also need to know that there will be the policies in place and a government whose will is dedicated to seeing that this legislation is, in fact, enforced. Given some of the tremendous cuts that we're hearing to law enforcement across the province, many of us have concerns that this legislation will simply be another piece of paper that no one pays attention to.

It's not only this legislation; it's the fact that people are driving their cars who are under suspension and that there are people who are driving their cars who have no insurance. This is an all-too-common occurrence in the province of Ontario. People feel very strongly and very passionately that we want safe roads. We don't want people who are drunk driving on our roads. We also don't want people who have had their licences suspended or who are driving without insurance to be on our roads. Unless the province dedicates itself to that kind of enforcement, people will continue along their merry way, doing as they please, and we will see that the roads in Ontario will not be as safe as they could be if the government dedicated itself to enforcement.

Advertising campaigns such as the anti-drunk driving campaign raise the consciousness of the public, and I am concerned because the government has cut those ads as well.

The Acting Speaker: Further questions or comments? If not, the member for Timiskaming.

Mr Ramsay: One cautionary note I'd like to bring to the government members is that when the government

first took over last year, in the initial expenditure control program there was a cutback last year on the RIDE program. You fixed that subsequently in this year's budget, and I applaud you on that. It is going to be very, very important that you keep the funding in place for the RIDE program not only provincially through the OPP, but most especially in all those small municipal police forces and those small towns and villages across this province where there can be a prevalence, if there's not the enforcement, that this type of activity can certainly happen. It's going to be very important with law like this that the enforcement be there to back up this law, because if we don't have the enforcement then the behaviour will start to grow again.

It was only through the initial efforts back in the late 1980s when Ian Scott brought through this first piece of legislation to really start to tell the people of Ontario that this type of activity would not be condoned any longer, actions of the previous government and now what you're doing here — it's this combined effort of all of us to send that very strong and powerful signal out to the people of Ontario that this is not an activity we find acceptable. But to back that up with the enforcement is very important, and that costs money.

I know you're in a cost-cutting exercise and that you want to find every place you can to cut, but in areas of public security and public safety such as this it is paramount that you keep funding there and ensure there is sufficient funding, even if you have to find a little bit more, to make sure the job is done, that we've got adequate police presence on the roads and streets of Ontario, especially on weekends and in the evenings when this activity can be more prevalent, to make sure this activity is stopped and that we save the lives of Ontarians.

The Acting Speaker: Mr Palladini has moved second reading of Bill 55. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading? Agreed.

Pursuant to standing order 34, the question that this House be adjourned is deemed to have been made.

WORKFARE

The Acting Speaker (Ms Marilyn Churley): The member for Hamilton East has given notice of his dissatisfaction with the answer to his question given by the Minister of Community and Social Services concerning workfare. The member has up to five minutes to debate the matter and the parliamentary assistant may reply for up to five minutes.

Mr Dominic Agostino (Hamilton East): I'm pleased, on the eve of the expected workfare announcement tomorrow by the minister, that we're trying to get some further clarification from this government as to how it plans to treat agencies and organizations that may, on principle or for their own good reasons, refuse to participate in the workfare program.

The plan that's going to be released tomorrow is regressive, punitive and intent on punishing people for being unemployed, for being poor. That is the intent of this government with the plan it is going to release tomorrow.

Workfare programs, particularly mandatory workfare programs that this government is going to outline tomorrow, have a history of failure across this country and across North America. There is not one single jurisdiction one can point to that will show that mandatory workfare programs have worked.

In states like Michigan that my friends like to talk about all the time, and Governor Engler and his great success rate, even their own director of communications admits that a major factor in their welfare numbers dropping was a result of their unemployment dropping, a result of the fact that there were more jobs available and people moving into those jobs.

That is exactly the direction we need to move into, but in Ontario unemployment went up last month. More people are unemployed than there were a year ago. The direction they're moving into is one that is creating more unemployment, and as you create more unemployment you make it more difficult for people to break the welfare barrier and get out of the cycle of dependency on welfare.

Workfare, as is going to be outlined by this government, is based on the assumption and the presumption that people on welfare are lazy, don't want to work and need a kick in the butt from this government in order to do that. I tell you that is false; that is untrue. People on welfare need real programs, real training and real opportunities for work and at the end of that they need real jobs, not feel-good volunteer programs. Feel-good volunteer programs don't work and don't help to get people off welfare. Feel-good volunteer programs do not create one single new job that welfare recipients can go to once they have finished their program.

1800

The minister likes to make reference in the House to comments I have made in the past. Let me make one thing very clear, and there is a fundamental difference between what I believe in and what this government believes in: The programs that have worked, the programs I've made reference to that have worked across Ontario, are not mandatory workfare programs. They are programs run by municipalities. They are programs like Helping Hands in Hamilton, a program that gives clients an option, a choice, the dignity to choose what they want to get into. They're not shoved or forced into that program, they're not shoved or forced into cleaning snow or cleaning windows, but they're given some real opportunities, and some real success rates have occurred. Those are the type of programs we need to develop.

But this government is going to take 20 sites tomorrow. They're going to announce to 20 municipalities that they're going to be the bearers of good news. They're going to say: "You get to run workfare programs. You get to do what Michigan has done, what New York state has done. You get to participate in exploiting the needy and the poor across Ontario, but you don't get the opportunity to help people move from welfare to work."

Programs that have worked: This government budgeted \$500 million in its workfare program, according to the Common Sense Revolution. There are about 400,000 people in Ontario who ultimately will be eligible for this program; \$1,250 on average cost per individual. Real

programs that have worked are expensive; in New Brunswick, an average of \$59,000 per client. In Wisconsin, which is one of the programs that people talk about, Governor Thompson made it very clear that if you want to put in programs that are going to work and help to transmit the change from welfare to work, they're very expensive and government has to realize there's going to be an upfront cost that will take a while to recover and the benefits are not going to be seen in a month or six months or a year or two years; they'll be seen years later when these people are into full-time employment.

But that will not happen by simply throwing people into programs, forcing them against their will, forcing involuntary volunteers to be in programs simply for this government to pound its chest and tell us how wonderful it is: "Look what we have done. We have taken all these people on welfare and we've put them into programs." At the end of the day they're still going to be on welfare, because you have not created one single new job. If this government's serious, take those 400,000 individuals on welfare, create 400,000 jobs and you'll solve the welfare problem across Ontario.

The Acting Speaker: The member's time is up. The parliamentary assistant to the Minister of Community and Social Services.

Mrs Janet Ecker (Durham West): It is with great pleasure that I come to discuss this issue with my colleague the member for Hamilton East, who I understand has rearranged his personal schedule this evening to be here to discuss this very important issue of what is going to be happening with workfare as we unveil it and announce it tomorrow.

We miss him on the social development committee. I understand his new colleague the member for York South appears to be there these days, but we miss the member for Hamilton East's cheerful face and comments at the committee.

What I'm having some difficulty understanding here is that the honourable member made a campaign commitment to his voters when he ran in the election, and to make sure I am accurate I would like to quote directly from his campaign literature. He said, "As a member of a Liberal government, I am committed to the following: welfare reform, ensuring" — ensuring — "that people who are able to work do work." I would take that as a fairly strong campaign commitment to the voters of his riding. I understand that his mentor, Ms Copps, has been setting an interesting example as someone who has not followed through on a campaign commitment she gave to the people. If he wishes to withdraw this or disagree with the campaign commitment, he has a model he might wish to follow.

He seems to be concerned about the mandatory nature of workfare. I would interpret the word "ensuring" as somehow being compulsory, but I have some difficulty

understanding his concern given that it was his party during the last election that coined the phrase "mandatory opportunity" for those on welfare.

His research, as has frequently been the case, unfortunately — and it does pain me to have to say this — has many times had a passing acquaintance with the facts of the situation. I can't understand why he would object to a government that was trying to help people get off the system. The truth is that the opponents of workfare are failing to provide any constructive alternative. They're failing to realize that simply throwing money at the welfare system, which has happened in the past 10 years, has not appeared to help people get off the system. I must remind the member of his own party's and the previous government's failed policies. The NDP and the Liberals spent \$40 billion on social assistance over 10 years, and yet when we arrived in office over 1.3 million people were trapped in that cycle of dependency on welfare.

I suppose we could assume, and maybe this would be the truth, that had the member for Hamilton East been a member of the Liberal government, perhaps this might not have happened, given his commitment to helping people off welfare. But it did happen; it's a situation we inherited. We have a problem with the welfare system — not with the people who are caught in the system but with the system itself — that is keeping people there. That's why we are unveiling workfare tomorrow.

I have yet to see the evidence that he brings forward to justify the comments he made previously that we were going to be going around threatening communities or agencies to get involved. I don't think there is evidence, because we have a lineup of communities and organizations that want to participate. The minister was talking about 15 communities; now he's having difficulty keeping it down to 20 communities, which is what he's going to announce tomorrow. This is only the first phase of a wonderful workfare program which is going to be helping people get off the system, because that's what we are dedicated to doing. That's what this government wants to do.

We want to help people. We want to give them job skills; we want to give them networking skills; we want to give them experience that will be helpful. That is something which I would hope this member, in his wisdom, would like to support. It is certainly something that we found, and I personally found when I knocked on doors, most people out there agree on, that people who are on welfare need that hand up to get off the system. They're prepared to pay for it and they're prepared to support it. Workfare may cost money, but I think investing that money in the people on welfare is worth it.

The Acting Speaker: There being no further matter to debate, I deem the motion to adjourn to be carried. This House stands adjourned until 1:30 pm tomorrow.

The House adjourned at 1807.

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CONTENTS

Tuesday 11 June 1996

MEMBERS' STATEMENTS	
Victims of crime	
Ms Castrilli	3439
Sewage and water treatment	
Mr Len Wood	3439
Port Credit Riverfest	
Mrs Marland	3439
Job creation	
Mr Sergio	3439
Non-profit housing cooperatives	
Mr Kormos	3440
Hershey Canada youth track and field meet	
Mr Jordan	3440
Ministerial performance	
Mr Duncan	3440
Ministry of Transportation travel offices	
Mr Bisson	3441
Events in Bowmanville	
Mr O'Toole	3441
STATEMENTS BY THE MINISTRY AND RESPONSES	
Crown foundations	
Mr Eves	3441
Mr Phillips	3442
Mr Laughren	3442
ORAL QUESTIONS	
Toronto Transit Commission	
Mrs McLeod	3443
Mr Leach	3443
Young offenders	
Mr Ramsay	3444
Mr Runciman	3444, 3445, 3446, 3448
Mrs Boyd	3445, 3446, 3448
Overtime payments	
Mr Conway	3447
Mr David Johnson	3447
Agricorp	
Mr Newman	3448
Mr Villeneuve	3448, 3450
Mr Hoy	3450

Ministry of Environment and Energy staff	
Mr Bartolucci	3449
Mrs Elliott	3449
Housing consultants	
Mr Bisson	3450
Mr Leach	3450
Government office space	
Mr Jim Brown	3450
Mr David Johnson	3450
Hydro rates	
Ms Churley	3451
Mrs Elliott	3451
Septic systems	
Mr Carroll	3451
Mrs Elliott	3451

PETITIONS	
School facilities	
Mr Patten	3451
Non-profit housing	
Mr Marchese	3452
Mr Kormos	3453
Ms Churley	3453
Drinking and driving	
Mr Baird	3452
Child care	
Mr Gravelle	3452
Workers' compensation	
Mr Christopherson	3452
Gasoline prices	
Mrs Munro	3453
Ontario student assistance program	
Ms Castrilli	3453
College of Teachers	
Mrs Caplan	3453
Drug marketing	
Mr Miclash	3454
Occupational health and safety	
Mr Christopherson	3454
North York Branson Hospital	
Mr Kwinter	3454
Education financing	
Mr Kormos	3454

FIRST READINGS	
Crown Foundations Act, 1996	
Bill 71, <i>Mr Eves</i>	3455
Agreed to	3455
Highway Traffic Amendment Act, 1996	
Bill 72, <i>Mr Kormos</i>	3455
Agreed to	3455
Municipal Amendment Act (Expense Allowances), 1996	
Bill 73, <i>Mr Shea</i>	3455
Agreed to	3455

SECOND READINGS	
Road Safety Act, 1996,	
Bill 55, <i>Mr Palladini</i>	3455
Mr Tilson	3456, 3467
Mr Michael Brown	3456
Mr Len Wood	3457, 3468, 3470
Mr Baird	3457
Mr Crozier	3457, 3459
Mr Rollins	3459
Mr Pouliot	3459, 3463
Mr O'Toole	3462, 3467
Mr Lalonde	3462
Mr Christopherson	3463, 3470
Mr Parker	3463, 3464
Mr Ouellette	3463, 3464
Mr Conway	3464, 3468
Mrs Caplan	3467, 3471, 3472
Mr Cleary	3467
Mrs Marland	3469
Mrs McLeod	3470
Mr Ramsay	3471, 3472
Mr Grandmaitre	3472
Agreed to	3473

ADJOURNMENT DEBATE	
Workfare	
Mr Agostino	3473
Mrs Ecker	3474

OTHER BUSINESS	
Notice of dissatisfaction	
The Speaker	3454

TABLE DES MATIÈRES

Mardi 11 juin 1996

PÉTITIONS	
Fonds propres pour écoles	
M. Lalonde	3454
PREMIÈRE LECTURE	
Loi de 1996 sur les fondations de la Couronne,	
projet de loi 71, <i>M. Eves</i>	
Adoptée	3455

Loi de 1996 modifiant le Code de la route,	
projet de loi 72, <i>M. Kormos</i>	
Adoptée	3455
Loi de 1996 modifiant la Loi sur les municipalités en ce qui concerne les indemnités pour dépenses,	
projet de loi 73, <i>M. Shea</i>	
Adoptée	3455

DEUXIÈME LECTURE	
Loi de 1996 sur la sécurité routière,	
projet de loi 55, <i>M. Palladini</i>	
Adoptée	3473

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 12 June 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 12 juin 1996

*The House met at 1333.
Prayers.*

MEMBERS' STATEMENTS

PHILIPPINES INDEPENDENCE DAY

Mr Tony Ruprecht (Parkdale): I rise on behalf of the Liberal Party to congratulate the Filipino community on their 98th anniversary of Philippine independence.

This morning at 8 am more than 1,000 Filipino Canadians helped to raise the stars and sun framed on the blue, red and white Philippine flag. This flag is a living symbol of the ideals and aspirations of the Filipino, of the gallantry and heroism of Filipinos in their valiant quest for liberty. It tells the bloody saga of a people who proved undaunted in the face of hardships and untold difficulties. It tells of the unshakable spirit of Filipinos amidst adversities. It tells of the thousands of Filipino heroes who died in the night so that others might live to see the dawn.

Though many of us take our democratic system of government for granted, the celebration of the 98th anniversary of the establishment of a democratic Republic of the Philippines serves as a useful reminder to all of us that in order to maintain the traditions of freedom and preserve democratic values, we must be vigilant and guard it well.

In commemorating this historical event, we are also recognizing the important contributions that Canadians of Filipino heritage have made to economic development and the cultural enrichment of our province and country. As we raise the blue, red and white flag of independent Philippines, we are mindful that these Philippine colours have become an international symbol of the indomitable spirit of democracy and serve as an inspiration to us all to strengthen the bonds of friendship —

The Speaker: The member's time has expired.

MINISTRY OF ENVIRONMENT AND ENERGY STAFF

Ms Shelley Martel (Sudbury East): Earlier this week, this House was made aware of the fact that one of the Ministry of Environment and Energy's employees who recently received a pink slip from the Conservative government was also an Amethyst Award winner last fall, in recognition of outstanding achievement in the public service. Bill Keller of Sudbury received this prestigious award from none other than Premier Mike Harris himself.

This water quality scientist was one of a handful of scientists who during the 1970s worked to determine

what it was that was killing thousands of lakes in northern Ontario. His research on acid rain prompted the then Conservative government to finally deal with excessive sulphur dioxide emissions at organizations like Inco and Falconbridge through the Countdown Acid Rain program.

Since that time, Bill Keller has been monitoring the slow recovery of the lakes' ecosystems and his research work has been published internationally. He is a world leader in an emerging international discipline and his reward from this Conservative government is to be laid off.

I raise the matter of Bill Keller not merely because of his own impressive record of service to the people of Ontario, but because he represents the ridiculous situation the government finds itself in as it lays off over 10,000 people. There are many, many Bill Kellers across the public service. They deliver important public services to the people of Ontario in a caring and conscientious way. They should be allowed to continue to do that.

FIESTA WEEK

Mr Jerry J. Ouellette (Oshawa): It is with great pleasure that I rise today to formally announce the 35th anniversary of Fiesta Week in the city of Oshawa.

Fiesta Week is organized and operated by the Oshawa Folk Arts Council and its cultural member groups. Fiesta Week has become a part of Oshawa's cultural heritage. It has provided the Oshawa residents the opportunity to examine the different cultures which come together and form our community. The Oshawa Folk Arts Council has proudly presented Fiesta Week since 1961. Each year since then the third week in June in Oshawa is Fiesta Week and this year the tradition continues.

On June 16, there will be a parade in which all the different cultural clubs in Oshawa display their traditional ethnic costumes and wares. On June 17 through to June 22 the different ethnic communities of Oshawa open the doors of their pavilions to all to participate in the different foods, dances and many other aspects of each particular culture.

Fiesta Week certainly raises cultural awareness in Oshawa. It also allows individuals the enjoyment of participation, as the events are open to all age groups and all cultural backgrounds. I commend the Oshawa Folk Arts Council in its tireless contribution to Oshawa and our province, and invite all members and all Ontarians to participate in Oshawa's cultural makeup.

OBSTETRICAL CARE

Mrs Sandra Pupatello (Windsor-Sandwich): I appreciate the opportunity to give my brief commentary

on the dilemma that's facing Windsor and Essex county, and in fact many areas around Ontario, in the area of obstetrics care for pregnant women in Ontario.

Where I come from, women are in danger of not having the kind of care they need to deliver their children. Pregnant women won't get the care and they're not getting the care because of the false bravado shown by the Minister of Health in attacking and slamming the doctors, instead of trying to address the situation and come up with some kind of real solution.

I'm aware that many of the doctors have taken the time to meet with MPPs from all sides and even the MPPs of the government side of the House are starting to recognize that the minister is not being completely upfront in telling them all the issues the doctors are facing today.

In fact, one of his solutions to deal with pregnant women was: "It's okay. We'll send them to the US and they can have their babies there." How ridiculous. I thought we were broke. The cost of having a baby at Detroit Hutzell Hospital, for example, is \$6,900 compared to \$1,500 in Ontario.

That is no solution. It is absolutely ludicrous for a minister to be so irresponsible as to suggest that babies would go and be born in America. Mind you, that's not such a bad thing, seeing as we have our American guests here.

In any event, I must say that we expect real solutions from the Minister of Health when we're dealing with pregnant women in Ontario.

1340

LEGISLATIVE STAFF

Mr David Christopherson (Hamilton Centre): I direct my comments to you as Speaker of this assembly today. There are concerns within the staff you are responsible for here in the Legislature, specifically the Ontario Government Protective Service and the inter-parliamentary and public relations branch. I understand that some layoff notices have gone out, although your office is endeavouring to provide me with further details, and I appreciate that.

I raise the matter today, taking note that there was a letter sent to you on May 20 by the member for Scarborough East wherein, as part of his thanking you for an opportunity to represent you at an event, he raises concerns he had about staff performance that day. In part, in the letter he states, "I, for one, am now completely convinced that we need to move quickly and decisively to replace 100% of the existing staff with new, motivated, capable and friendly security and guide staff."

I found this to be one of the most outrageous things a member of this place could possibly say and I think everyone here will appreciate how our staff feel, knowing that something like this has been sent to you.

I ask you, Speaker, as the person responsible for overseeing this place, to put at ease the minds of these staff in that you will deal fairly and evenly and give everyone involved an even opportunity to be heard and that you won't act unilaterally in response to this letter, and I'd like that in writing, sir.

JOHNSON CONTROLS

Mr Ted Chudleigh (Halton North): It gives me great pleasure to announce to this House more good economic news for the people of Ontario and particularly the people in my riding of Halton North. Johnson Controls Inc announced it would build a \$14-million plant in Milton to make seats for Toyota Canada. When completed in 15 months, the new plant will supply 120,000 seats a year to Toyota's Cambridge plant, which makes the popular Corolla model.

This announcement will create construction and trade jobs for the area and result in 120 good-paying, full-time jobs when the project is completed. The economic benefits and spinoffs for the local economy are welcome news and will contribute to an already vibrant and growing community. This announcement reflects the confidence this industry and others have in Ontario and the current economic environment as a place to grow, a place to invest, a place to compete in the global marketplace.

I welcome Johnson Controls to Halton North.

VIOLENCE AGAINST WOMEN

Mrs Elinor Caplan (Orillia): I rise to highlight the lack of leadership the minister responsible for women's issues has displayed towards the serious issue of violence against women. In the document entitled Request for Proposal for the Development of a Strategy and Operational Framework for the Ontario Government's Violence Against Women Prevention Initiatives, the office responsible for women's issues outlines a request for consultants to bid on a proposal to review government initiatives for preventing violence against women.

This minister has done absolutely nothing. In fact, services for women have been slashed at an incredible rate by her own government. Now, after the services have been slashed and cut, she's asking for a proposal to review government initiatives for preventing violence against women. Women's shelter association representatives are outraged that this government would have the nerve to spend further dollars to conduct yet another review of violence prevention initiatives, and I share their outrage.

The minister should know that women need services to prevent violence. Supports are essential to women who find themselves in violent situations, and further reviews and studies do nothing to help these women in very serious situations. Unfortunately, the minister does not seem to understand, as she stands mute while important services are being cut. The minister is all talk and no action.

CAMPING FEES

Mr Howard Hampton (Rainy River): Recently, a constituent who is a senior citizen and has enjoyed camping at provincial parks in Ontario for many years went to camp at the French Lake site in Quetico park. As of June 3 of this year, no new fee increases or reservation rules for provincial parks were posted and no notices

advising of the changes in fees appeared in any local newspapers. But when this senior citizen arrived at Quetico park he was told that the regular day rate for a campsite with electricity for seniors had gone up from \$9.25 a day to \$11.50 a day, an increase of 25% in one year.

This senior citizen lives on a fixed income. He does not have, and he will not benefit from, any tax cut. He simply doesn't have an income high enough to benefit from any tax cut. Yet his fees for using a resource which belongs to the citizens of the province have gone up by 25%.

This is another example of the Conservative government hitting senior citizens who are on fixed incomes by increasing fees, by hidden taxes. This government says it is on the side of senior citizens; the only side it's on is taking money out of their pockets.

CHAPMAN'S ICE CREAM

Mr Bill Murdoch (Grey-Owen Sound): It is with great pleasure that I stand today to share a good news story about a business on the brink of expansion in my riding.

Chapman's Ice Cream in Markdale is licking the competition. Recently, Chapman's Ice Cream, located in the heart of Grey county, announced that it had been awarded a province-wide contract to be the sole supplier of Loblaw's President's Choice and No Name brands of ice cream.

Chapman's is currently the third-largest ice cream maker in Ontario, and the new contract will boost its overall production by 50%. To meet this increase, Chapman's will create 50 new jobs for the local economy, raising the total to 160 workers at the Markdale plant.

According to the president of Loblaw Brands Ltd, the key to Chapman's success is its efficient production method and the innovative spirit required to fulfil the President's Choice special ice cream formulations.

In addition, a recent \$2-million expansion to the ice cream plant and construction of a large trucking and storage facility will help accommodate the new lines.

I would like to extend my congratulations and thanks to local entrepreneurs Penny and David Chapman for their continuing hard work and willingness to invest in our local economy. This truly is a double scoop for the town of Markdale.

VISITORS

The Speaker (Hon Allan K. McLean): I would like to inform the members of the Legislative Assembly that we have in the Speaker's gallery today a midwestern parliamentary delegation comprised of Senator Paul Burke, Senator LeRoy Stumpf and Representative John Jamian. Please join me in welcoming our guests.

Mr Dave Boushy (Sarnia): On a point of privilege, Mr Speaker: It's my privilege to welcome 21 students and their teacher from Sarnia. They're up in the gallery.

The Speaker: Order. The member was out of order.

STATEMENTS BY THE MINISTRY AND RESPONSES

ONTARIO WORKS

Hon David H. Tsubouchi (Minister of Community and Social Services): I am pleased to announce today the launch of Ontario Works, the government's work-for-welfare program. Two years ago, we made a commitment to the people of the province of Ontario for a work-for-welfare program in this province. A year ago, we were elected to keep that promise. Today we are delivering on that promise and that commitment.

Starting this summer, welfare recipients in Ontario will be required to work for their welfare cheques.

Earlier today, I announced that Ontario Works will be phased in. It will start in 20 municipalities. Building on our experience, we will announce the second phase of Ontario Works later this fall. By 1998, we expect Ontario Works to be fully implemented across the province.

As you know, we have already developed and implemented significant changes to the welfare system. Ontario Works is the most important because it represents a major shift in philosophy. It demonstrates how we are truly moving social assistance in this province from a handout to a hand up.

1350

Ontario Works will continue to introduce common sense to the welfare system. Today's announcement does not provide the solution to all the problems, but it is a starting point. It is an important first step in helping people break the cycle of dependency.

Let me say a few words about why we're doing this. Work for welfare will benefit people on welfare by helping them acquire some skills, self-confidence and contacts that will assist them in finding a job. Ontario Works will also give them the opportunity to give something back to their community. Towns and cities will be able to undertake worthwhile community projects that otherwise might not happen.

This is a ground-breaking initiative, but we have done our homework. We are moving ahead responsibly by phasing in the program. A lot of work has gone into ensuring that the program can be implemented effectively across the province, and a lot of work will continue to go into it, not only from my ministry staff but also from the municipalities, communities and individuals who will participate.

Let me point out that this program will be tailored to meet the needs of the people and communities of Ontario. People receiving welfare who are able to work will be required to train or work on community projects in return for their welfare cheques for up to an average of 17 hours a week. They will devote the rest of the work week to job searching. Seniors and people with disabilities will be exempt. As the program expands, we will then require single parents to participate. Only single parents with young children will be exempt.

Let me stress that Ontario Works will not take a paid job away from anyone. That is a very prime principle to this. People working for welfare cheques will be involved in community projects.

The private sector does, however, have an important role to play in Ontario Works. We will appeal to businesses, both large and small, to contribute to community work-for-welfare projects. Their contributions could include offering expertise or supplying materials or donations to community projects.

This government has realized \$1.3 billion in social assistance savings as a result of earlier welfare reforms. Over the next three years we will reinvest \$450 million in Ontario Works.

The 20 communities which volunteered for this first phase all share the readiness and enthusiasm to proceed. They are the Algoma District Social Services Board, Brant county, the city of Brockville, the city of Cornwall, the county of Dufferin, the regional municipality of Durham, the regional municipality of Halton, the regional municipality of Hamilton-Wentworth, Huron county, Kent county, the district of Muskoka, the regional municipality of Niagara, the Nipissing District Social Services Board, the city of North Bay, Northumberland county, Oxford county, the regional municipality of Peel, the city of Timmins, the regional municipality of Waterloo and the united counties of Stormont, Dundas and Glengarry.

These 20 communities that make up phase 1 are now moving to develop specific projects. We will provide more information on the individual municipal initiatives later this summer and fall.

Today's announcement signals the beginning of Ontario Works. More importantly, it marks the beginning of the end of the cycle of dependency for many people on welfare. I want to emphasize that Ontario Works is not a cure-all for every problem of the welfare system and society, but it does offer opportunities to both recipients and communities.

Working on community projects will be good for the participants because it will give them the opportunity to develop the routines and some skills, the self-confidence and contacts that will assist them in finding employment. Ontario Works will also be good for the quality of life in our communities because of the worthwhile projects it will make possible.

Two years ago we made a commitment to introduce a work-for-welfare program in this province. Today we are delivering on that commitment.

Mr Dominic Agostino (Hamilton East): What has been released today is a program called "wastefare" rather than "workfare." This government and this minister have released a plan that is regressive, that is punitive and that fails to address the real problems of the welfare crisis. This plan will not create one single new job in Ontario. This plan will not move one single person off the welfare rolls.

It is wastefare. It is a waste of money. It is a waste of jobs. It is a waste of human potential. It is a waste of the public trust. It is a waste of opportunity for volunteers who have been there for years in this province.

There is no plan here; it is simply a continuation of smoke and mirrors, of the ongoing, relentless attack you have launched on the needy in Ontario. You feel it is a crime to be poor and to be unemployed in Ontario and you feel it is acceptable to punish people because they're poor and they're unemployed.

Today in your speech in Niagara Falls you gave us examples of what these individuals could do: Swing sets could use a coat of paint, the stone fireplace needs some work, park benches could be built and the pavilion needs to be painted. That is this government's answer to the welfare problem: Paint swings, fix fireplaces in parks and build new benches. That is the answer to the crisis, the lack of jobs we're facing in Ontario. At the end of the day this province will have more painted swing sets and more benches, but it will not have any more individuals employed who are on welfare today than before you announced this program.

I know the minister realizes we have a need for more park benches, because that is to accommodate the people he has thrown off the welfare rolls in the past year as a result of his changes. Welcome to the new Ontario. Welcome to the home of the thousands of Tsubouchi slaves they'll be running across this province. Welcome to the home of the most park benches in the province.

This is an attack on the poor. You compare yourself when you talk about Michigan and you talk about New York and how well it has worked. If this government's philosophy is to bring us to the level of Detroit, Michigan, or of New York City, let us know because I can tell you we have no lessons to take from New York City on how to run social programs and we have no lessons to take from Detroit, Michigan, on how to run social programs, and that is the level this government wants to bring us to.

How much are you going to spend on recipients? You haven't answered that question. How much cost will there be for clothing, for transportation, for personal grooming? What criteria have you used to give municipalities some guidelines to ensure that jobs are not lost, that summer jobs are not misplaced? How will the program be phased in? How are you going to accommodate the 12,000 to 14,000 individuals who will be eligible in Niagara with the dozens of volunteer projects that you outlined this morning? How are you going to fill the 12,000 to 14,000 spots of those positions out there right now waiting to be filled? What labour standards will you apply to the municipalities? Do you have any studies to show us how this is going to work? Do you have any studies that show us how this is not going to replace real jobs?

The solution to high welfare rolls is job training and job creation, real opportunities for people. Welfare-to-work programs will work when you put people in positions they want to be in, when you look at the skills, look at the needs and match them. You don't create jobs in Ontario by forcing welfare recipients to paint swings or build park benches. You don't understand that. You don't have an answer. What we see today is a broken commitment. Today's announcement is not going to give recipients a hand up; it's going to give them a punishing kick to the head.

Many people on welfare voted for you during the election. They voted for you because they felt you were going to give them an opportunity; they felt you were going to give them a job; they felt you were going to give them a chance for a job, not a paintbrush and a hammer and tell them to go play in a park. I don't know how you look in the mirror in the morning. I don't know

how you look at yourself in the mirror and not understand the betrayal to the tens of thousands of welfare recipients, the misleading of the tens of thousands who looked to you for hope, for dignity and all they received was the back of the hand. You have betrayed, you have misled and you have lied to thousands of welfare recipients across Ontario.

Interjections.

The Speaker (Hon Allan K. McLean): Order. Would the member withdraw the unparliamentary word that he used.

Mr Agostino: Mr Speaker, I don't believe I said anything unparliamentary.

The Speaker: The member did. Will the member withdraw? Yes? No.

I have no alternative but to name the honourable member. He will not withdraw. Sergeant at Arms.

Mr Agostino was escorted from the chamber.

The Speaker: Further response, the member for Windsor-Riverside.

Mr David S. Cooke (Windsor-Riverside): That spontaneous outrage is a hard act to follow.

On behalf of our caucus, I'd like to respond to the minister's statement. It's a sad day in Ontario that a government that is supposed to show leadership in this province would play politics with the poorest people. You and I know and everybody in this province knows that workfare has nothing to do with helping people become independent and get off welfare. It has everything to do with politics. That's what it was all about in last year's election and that's what it's about today.

1400

It will be successful politically because it will score points and deliver votes. That's unfortunate in the province, but their polling and their focus groups and everything else showed them that. That's why they're doing this.

Politicians and governments are supposed to be somewhat above that. We're supposed to try, on occasion, to help people, especially help the most vulnerable people in this province. There's one description of this announcement today that is absolutely clear: The minister can't make it work and the minister can't make it fair. That's absolutely clear from the announcement today.

Where are the jobs? That's the bottom line. If we're to get people off social assistance and into the workplace, then there have to be jobs. Of course this is going to make people feel good, because the difficult situation that middle-income people are in and the feeling that everybody is overtaxed mean that people want to get at what they see is the problem.

The reality is that the goal for a government that cares and wants to see a solution has to be to provide training and education and job opportunities in the province. If this government really cared, it would be creating jobs. What we've seen in this province instead is an increase in the number of people unemployed that will continue to rise, because what we have seen very clearly are more jobs being cut by this government than jobs being created.

We know this is not a new concept. I am tired of hearing from the Premier and the minister that somehow

this is something brand-new that has come upon this government. It has been tried in this province in the 1950s and before. It's been studied for over 100 years, and every study is absolutely conclusive: It doesn't work, it doesn't decrease dependency; it actually increases dependency.

Our view is that if there's a job in the public sector worth doing — the minister tries in his package to outline some of those jobs — if there's an environmental job worth doing, if there's a public service worth doing, then let's pay people the appropriate wage and create the job and get people truly independent.

If this government were serious about trying to break dependency and get people in the workplace, they wouldn't be putting forward \$450 million over five years for this program. They'd be putting literally hundreds of millions of dollars into training and education programs every year. That would see a decrease in the number of people on social assistance.

Instead, we've seen massive cuts to our elementary school system, our secondary school system, our college system, our university system. For the first time we had a training strategy in this province that came out of the Premier's Council from the days that the Liberals were in power, the Ontario Training and Adjustment Board, and what has this government done? They've dismantled it.

Now we have massive cutbacks in training, massive cutbacks at the college, university and secondary levels, so there are now fewer opportunities for people to gain the skills they require to get into the workplace.

What makes this sad, and I come back to it again, sadder than anything, is that this is all about politics. We have seen this government cut back the most vulnerable people in this province — whether it's the welfare rates in this province by 22%, whether it's children's services in this province, whether it's co-op and non-profit housing in this province. This government wants to score political points at the expense of the poorest people in this province. It's a shame.

ORAL QUESTIONS

YOUTH UNEMPLOYMENT

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Education and it has to do with jobs for our young people. The minister will know how disappointing were the employment numbers released on Friday. Ontario, to all our disappointment, lost 17,000 jobs in May over April. But the really disappointing news was in the employment outlook for young people. There's no question that our young people face the most bleak employment outlook in over a decade. Those numbers were put out in stark reality on Friday. I'm sure the minister now has been briefed by his staff on the reasons for that. I wonder if the minister could explain to the people of Ontario why, one year into this new government, the employment situation for our young people actually is continuing to get worse.

Hon John Snobelen (Minister of Education and Training): I want to thank the honourable member

opposite for the very good question. I can explain it quite easily: 10 years of mismanagement in the province by the government of Ontario.

Mr Phillips: That is an insult to the young people of Ontario. It's time you people woke up over there and realized you're dealing with a crisis here. A snippy answer like that is unacceptable to young people. That's an unacceptable, smart-alecky answer.

The employment situation in 1996 is worse than it was last year, worse than it was the year before and worse than it was three years ago. I repeat the question to you, and the people of Ontario, particularly the young people, don't want a smart-alecky answer. Why is the situation for young people getting worse under your administration, not better, as you promised?

Hon Mr Snobelen: I want to thank the honourable member for his response to my answer. I don't think there's anyone who doubts that it's going to take some time to turn the corner on the mismanagement over the last decade. I don't take that very lightly. It's quite an onerous task by this government to reverse some of the damage that's been done to this province and to the opportunities for young people in this province by previous administrations. The litany of bad management and bad government in this chamber over the last 10 years is well known and that point's been well made.

I'd make a direct answer to the honourable member opposite, though, because I believe that opportunities for young people is an important issue. It's certainly an important issue for this government, and that's why I was proud to rise in this House not very long ago and announce the fact that we would expand our summer employment programs for young people in the province, actually expand them by 5,000 jobs this year so that we can assist young people get a start in the employment and job communities in Ontario.

I believe we are turning the corner economically in the province. I believe we are creating the baseline, the foundation, for opportunity and job growth in the province. I'm proud to be part of that.

1410

Mr Phillips: As usual, the facts belie that sort of rhetoric. You're going to have to stop blaming everybody else and take on some responsibility over there. We are now five months into 1996 and we have never seen, in at least the last 10 years, a worse situation for employment among our young people. All your government has done is attack the young people; there is no question of that.

I will ask you directly about something you have responsibility for. The one thing that our young people face very shortly is a 20% increase in tuition fees as a result of your government deciding to cut spending on post-secondary education dramatically — a 20% increase. Clearly, you must have done some studies that indicate our young people can handle that 20%.

I want an answer to this question, Minister: What is the impact on our young people, who are desperate, and they are desperate out there, of that 20% and will you table the studies that you must have had done that will show the impact of a 20% increase on tuition for our young people?

Hon Mr Snobelen: I want to thank the honourable member for a question that directly affects my portfolio. I recognize the fact that employment in this province, the prospects for the future for our young people in this province, certainly have a lot to do with my portfolio and I take responsibility for that.

The tuition fees paid by students in the province of Ontario have been rising over the course of the last decade. Tuition now, as of next year, represents about the average of tuition paid by students across the province, and I believe we need to make sure that's very clear to the people of Ontario. It may have been misrepresented in the past.

We have provided strategies to help mitigate the effect of tuition. One of those we're very proud of is the student trust fund, this government's commitment of about \$100 million to a trust fund to be matched by the private sector, private donors, that will help students most in need. It's going to be directed at those students who are most in financial need. We have also issued a tax credit in the budget for those businesses that help, co-op for students in colleges and universities. We believe that will be of assistance to students across the province. And we have asked the institutions in the tuition raise to pull back 10% of that rise in tuitions for student aid.

So I can assure the honourable member opposite that students are first and foremost in our minds, that we have provided the mechanisms for student aid and we continue to improve the student aid mechanisms in this province, and we will in the future years.

TORONTO TRANSIT COMMISSION

Mr Sean G. Conway (Renfrew North): My question is to the minister responsible for the greater Toronto area, the Minister of Municipal Affairs and Housing. Minister, on Monday of this week your colleague the Minister of Transportation said in this Legislative Assembly that the Toronto Transit Commission was "the worst transit system across the country," and furthermore that the Toronto Transit Commission was "one of the least effective agencies across the continent."

I'd like to know what you think about your colleague's assessment of the TTC, given that you ran the Toronto Transit Commission for the past 10 years.

Hon Al Leach (Minister of Municipal Affairs and Housing): My honourable colleague and very good friend Mr Palladini is responsible for transportation. I'll refer the question to him.

Hon Al Palladini (Minister of Transportation): As I have said several times now, my comments were more harsh than I intended and in no way was I referring to the TTC front-line workers. But this government is trying to be fiscally responsible and my approach with the TTC has been in that format. I want to encourage them to look for possible savings that can be derived from within the organization. This was the intent, and it is our only intent, to make sure that the TTC, like every other institution across the province, does become fiscally responsible.

Mr Conway: A moment ago, we had the Minister of Education and Training talking about the mismanagement

of the last 10 years. On Monday in this House, we had the Minister of Transportation stand in his place and say clearly and categorically that the TTC, which has been managed for most of the last 10 years by his colleague from Rosedale, the Minister of Municipal Affairs — you said that Al Leach's administration of the TTC gave us the worst public transit system in the country and that the Al Leach administration of the TTC produced one of the least efficient agencies across North America — not my words, Minister, your words.

I want you to explain today what you meant on Monday when you said that Al Leach gave us the worst public transit system in Canada.

Hon Mr Palladini: I would like to say to my honourable colleague that the TTC seems to be hiding behind the Minister of Transportation, behind its general manager, and I want to basically remind the honourable member that one of his colleagues was in fact the chairman of the TTC. So if there was a problem within the Toronto Transit Commission, I think you should look right three rows up and take a look at one of your colleagues.

However, this government is committed to transportation. This government is committed to making sure that Ontarians have a balanced transportation system. This government is also very much committed to public transit to the tune of \$390 million to address all safety items in public transit from across the province. We also committed to building the Sheppard subway, another \$500 million. All we want is for the TTC and its commissioners to do the job that the people of Metro elected them to do and that is operate within fiscal responsibility and come up with the savings that are within that organization.

Mr Conway: On the weekend, the Toronto press gave the Minister of Municipal Affairs and Housing a C and a D, but on Monday in this House, you gave your colleague Mr Leach an F- for his administration of the TTC. I say to the Minister of Transportation, these are your words, uttered in this House on Monday. You said two days ago that Al Leach has given Ontario the worst public transit system in the country and Al Leach gave Ontario one of the least effective public agencies across Ontario.

If you misspoke yourself on Monday, will you now do this, to at least the men and women who work for the TTC and everyone in Ontario who respects the importance of public transit, not just in Metropolitan Toronto but across the province: Will you stand in your place and apologize for what you said on Monday of this week?

Hon Mr Palladini: I'm going to reiterate my comments that I have said. I might have been somewhat too harsh —

Interjections.

The Speaker (Hon Allan K. McLean): Order.

Hon Mr Palladini: — and certainly my comments were not directed at the front-line workers. There was a phone survey done today by CITY-TV —

Interjections.

Hon Mr Palladini: If the honourable members would like to listen to the answer, there was a phone survey

done by CITY-TV today and there was one question asked: "Do you get your money's worth from the Toronto Transit Commission?" Some 494 people said yes; 4,144 said no. I stand by that poll.

The Speaker: New question.

Mr Bud Wildman (Algoma): I guess, Al, you should take that as an apology from your colleague —

The Speaker: Who is your question to?

ONTARIO WORKS

Mr Bud Wildman (Algoma): I have a question for the Minister of Community and Social Services. We've been waiting since June 8, 1995, for this minister to make clear how the proposed workfare program would work in Ontario, whether it was going to be the mandatory opportunity proposed by the Liberal Party in the election campaign or something else. But what we've seen is the proverbial elephant labouring long and producing nothing but a mouse in this announcement. We don't know anything more today than we did yesterday about how this program is going to work. We don't know how it's going to help welfare recipients get jobs they want and need.

1420

The minister doesn't refer to the fact that in 1995 a study was done by his own ministry which found that only 5% of all employable social assistance recipients were not involved in either working full- or part-time, going to school, taking job training, doing volunteer work or searching for work; 41% of single parents were searching for jobs, while 15% report they were also doing volunteer work.

The Speaker: Put your question.

Mr Wildman: What is the workfare program — the minister has not yet announced how it's going to work — going to do for these people that they're not already doing for themselves?

Hon David H. Tsubouchi (Minister of Community and Social Services): I'm grateful for the question from the interim leader of the NDP. Obviously he's saying he doesn't know how this will work. Obviously you didn't know how it worked back in 1993 either. The turning point was your particular —

Mr Wildman: We didn't propose it in 1993.

Hon Mr Tsubouchi: You had a piece here in 1993, and clearly the philosophy of the NDP was set out here. I was just taking a chance to read a little bit from it: "In short, welfare has moved far from its original purpose. In fact, welfare caseloads have reached their highest-ever levels since the inception of the program. In 1992-93, more than 1.2 million Ontarians, or one in nine persons in the province, received social assistance." They were in for a little bit of a surprise after that because it went up to 1.3 million, so it wasn't the highest level yet. "For many thousands of families and individuals, social assistance now acts as the primary source of income. It is no longer just a final safety net to be used when all other sources of support have been exhausted."

Clearly the NDP didn't understand it in 1993. They don't understand it in 1996. Certainly they didn't understand it in 1995 during the election. Because we're doing a fundamental reform here, obviously they don't under-

stand it as well. The document speaks for itself. You've got the information.

Mr Wildman: We don't need vacuous answers like that in this House. We want to know how this program's going to work. Since June 1995 you've been saying you're going to bring in a new program and you're going to tell us how it's going to work. You've postponed and postponed telling us and you still, in this announcement, don't tell us. Instead you give us a list of possible things that participants might make and a list of communities that are going to be involved.

Will the minister please explain how this is going to work. How is having somebody from Brant county, for instance, clean logs out of a river going to produce skills that are going to make it possible for that individual to get full-time work after the program has finished? How is going to clear snowmobile trails, important as that is in Muskoka, going to employ someone permanently when the program is finished? How is planting trees that are already being planted by students, in student work for the Ministry of Natural Resources, going to produce skills that are going to produce full-time work?

What skills and jobs are the people going to have after they participate in your proposals here that are going to mean they'll have full-time work when the program is finished?

Hon Mr Tsubouchi: Clearly there's a bit of misunderstanding on behalf of the leader of the third party; he hasn't taken the time to listen to what we've actually been saying for some time.

There are two parts to this program. We announced the first major part today, which was the community work aspect of the program, and this is to assist people to learn some skills, to get that connection back to work again. These are things we've learned from a lot of the jurisdictions we've studied. But also there are the employment programs. The member for Windsor-Riverside alluded to a number of things during the response to my statement in the House, one of which indicated that he wasn't sure about the training aspect.

What we're going to do, and certainly announcing it next week as well, is indicate that the employment programs or the training aspect of this program will be accountable, that we're looking for success, not just training for the sake of training.

I point out to the leader of the third party that I can't believe he would indicate that the programs they had for training were huge successes. Obviously, they were not. There was no accountability.

This is all part and parcel of the same program. Yes, there will be opportunities, but I think it's necessary for us to provide the opportunity for people to get that connection back to work again. This is a fundamental change that we're looking at.

Mr Wildman: I'm going to try again to find out a little bit about how this is going to work. If the minister considers it at a rate of \$150 million a year, he's talking about spending about \$2,500 per participant for the 20 so-called pilot projects. In Alberta, the jobs corps program they have there spent \$10,000 per participant. Everybody knows it costs money to put people to work. Why will the minister not commit to adequate funding to give people on social assistance a hand up, a chance to

get a real job and the skills they need and want? Why aren't you providing the funding that's required if you're going to go this route, keeping in mind what it has cost in other jurisdictions?

Hon Mr Tsubouchi: I'm trying to get some sense out of what was just asked, whether or not it was an indication that perhaps there's too much money or not enough money. It seemed to be kind of muddled on that question. Under the third party's programs it cost a heck of a lot more money with no results. If you want to compare records, you spent a huge amount of money for your programs and the welfare caseloads continued to balloon. It was just unbelievable.

He was talking about the funding. The funding we've indicated for the first year is over a year; it's not just for 20 communities. We'll be looking for our second phase as well, which was indicated in what we gave out. We will have training programs, we will have employment programs, but they will be accountable. We have an obligation to the taxpayer of this province to make sure our programs are accountable and are effective, and that's what we're going to produce.

The Speaker: New question.

Ms Frances Lankin (Beaches-Woodbine): My question is to the same minister. We are trying to get some detail from you here. I have been listening to you very carefully. Your announcement today was incredibly short on detail. What you did was you told us once again why you're doing workfare but not how you're doing workfare, and that's what I'd like to get to.

You've had a year and the only plan you've come up with is to pass this off to 20 municipalities and give them two months to solve your problem for you. We've called your ministry and we've called the 1-888 number, and no one can give us any details or answer our questions, so maybe you can here today.

My colleague just referred to the relatively small investment that you're making per workfare participant. I would like to know how much of that money will go to the community groups you are asking to sponsor your workfare projects, for screening, monitoring, supervising and reporting on the participants.

Hon Mr Tsubouchi: First of all, in response to the fact that you were calling and trying to get details of the program in advance of the announcement, the reason you didn't get them was that you were not supposed to get them before we made the announcement. No one had them. You're not supposed to have them.

I have to tell you that part of what is here is that there's a lot of —

Interjections.

The Speaker: Order. Minister.

1430

Hon Mr Tsubouchi: I think they're a little surprised there weren't a lot of leaks this time around.

The difference between what we're trying to do right now and what a lot of other jurisdictions have tried — we've looked at a number of different jurisdictions. We've looked at Alberta and we've looked at, for the example that was given, Quebec and New Brunswick. We've looked at a number of jurisdictions in the United States — Michigan, Wisconsin. We've looked at the experience in California, New York and New Jersey.

The one thing we have found is that the programs that will work are the ones that are community-based, that recognize the resources they have in their communities, that recognize the needs they have in those communities. That's what's different about this program. We're not sitting here at Queen's Park in Toronto trying to put a solution made in Toronto on everyone across this province.

We're recognizing there are differences. There's a heck of a difference between Tillsonburg and the city of Toronto. We've got to look at the agricultural areas etc. We are looking and saying, "The difference here is it's community-based planning." We're working with the communities to recognize their needs. That's what's different. We're not imposing a solution on somebody else.

Ms Lankin: I find your answers arrogant and patronizing. The calls to your ministry were made in the last hour. You didn't even attempt to answer my question. My question was, how much money is going to go to the community groups? There are other details we would like to know the answers to. Would you try to answer some of the questions directly?

You've said in your announcement that this program will not take away a paid job from anyone. Yet some of the examples you use, like planting seedlings in reforestation, are already paid jobs, like grooming snowmobile trails, which are often using section 25s under unemployment insurance. You don't deal with the fact that the cuts that you have made to community agencies have already caused them to lay off many people. Are you saying that they will be able to resist the temptation to use the workfare participant to provide those services they have had to cut back on as a result of your funding cuts? How can you assure us that this will not take away jobs that were otherwise paid in this province?

Hon Mr Tsubouchi: This sounds amazingly like a conversation I just had Monday where we had a meeting with Mr Ryan —

Mr David S. Cooke (Windsor-Riverside): Were you talking to yourself?

Hon Mr Tsubouchi: Yes, I was talking to myself; I had Mr Ryan with me. In our conversation we gave Mr Ryan the same assurances that the Premier had given him when they had met several weeks before, that this program is not to take paid work away from people. We sat down and we gave that clear assurance to him. We also gave him a further assurance. We said, "If you would like your staff to meet with the ministerial staff to see exactly how we're going to do this and work with us" — we gave him that opportunity as well.

Aside from giving those assurances to Mr Ryan which I also give to the member, we'll be looking at this and giving directives from the government to make sure this does not happen. Unfortunately, she is assuming that somehow the municipalities will not follow the guidelines that are being provided by the government.

Ms Lankin: What guidelines? What directives? Where is the detail? You've had a year. Please stop trying to push this off on comparison to previous governments, on taking a look at the 10 lost years, all of your standard arguments. You've had a year. You are the government. You are the minister. You've been promising us this for months and months, and what we get today is an empty

trial balloon that passes it off to municipalities and says, "You figure it out, because we can't do it."

In your announcement today you say that under your workfare program the ministry "may," and that's the operative word, "help cover the costs of taking part in the program" and you give the example of "work clothes or equipment." Why the word "may"? I'm concerned about this.

Tell me what this means. How is that decision going to be made? Where is that decision going to be made? When will that decision be made? Will it differ from municipality to municipality? Will someone participating in workfare in Brant get their expenses covered, but someone in Hamilton won't?

What happens to an individual workfare participant if the necessary expenses aren't covered? Does that money come out of their pockets? What are the guidelines around how that decision will be made? Where is the detail of that?

Show us how your program is going to work. Stop telling us about why you're doing it. We know why you're doing it. We have differences of opinion about why you're doing it, but we know what you say on that. Tell us how you're doing to do it.

Hon Mr Tsubouchi: If a project requires assistance such as work boots or work gloves or that sort of thing — I believe that's what the member is asking — we will provide assistance for that. The projects that don't require it obviously won't have them. That's why "may" is there.

The transportation cost, as well, is something I believe the member is interested in asking about. One of the things we recognize throughout this program is that people don't always have the opportunity to hop on the TTC and get a bus to work.

But on the other hand, if you look at the rural areas, we are going to have to provide some assistance for people in rural areas for transportation. Clearly, this is part of our program and we are looking to assist the municipalities on this.

NOTICE OF DISSATISFACTION

Ms Frances Lankin (Beaches-Woodbine): On a point of order, Mr Speaker: I will be filing a paper indicating dissatisfaction with that answer and requesting an opportunity to debate this issue with the minister.

TORONTO TRANSIT COMMISSION

Mr Mike Colle (Oakwood): I have a question for the Minister of Transportation. I'm very disappointed, as I'm sure a lot of the men and women who work for the TTC —

Interjections.

The Speaker (Hon Allan K. McLean): Order, please. I can't hear the member's question.

Interjection.

The Speaker: The member for Etobicoke West, come to order.

Mr Colle: I'm very disappointed, as I'm sure a lot of the men and women who work for the TTC are disappointed, that the chief general manager of the TTC for 10

years did not have the guts to stand up and set the record straight.

Minister, since you've become Minister of Transportation, you have basically unleashed an unprecedented assault on public transit. First, you cut transit for the disabled with Wheel-Trans cuts. You wasted millions by cutting the Eglinton subway. You then proceeded to gut GO Transit. Then last Thursday you basically reduced funding to transit across Ontario by 33%. In your effort to hide that 33% cut, you maliciously and unfoundedly attacked the men and women who work on the TTC and the millions of people in Metro who use that fine system.

Will you not have the guts to stand up on your feet and say that you made a mistake and apologize to the transit users and the transit workers who spill their guts in that system every day to make it one of the best systems in Canada, if not one of the best systems —

The Speaker: Minister of Transportation.

Hon Al Palladini (Minister of Transportation): I believe this has been addressed many times. I believe it's time we go on. I believe it's time the TTC commissioners go on. Just like any multimillion-dollar organization, there is a management team in place that should be finding ways to become more cost-efficient. Clearly, it is not happening.

This government is fiscally responsible and it wants all its partners to do the same. The honourable member is saying the Harris government cut Wheel-Trans. Wrong. The people who are on Wheel-Trans know it was the TTC that chose to cut Wheel-Trans.

I would like to address all the TTC commissioners right now, and I hope they're listening: You must look for efficiencies within your organization. Like I said, it is a multimillion-dollar organization and we are looking for them to come up anywhere from 4% to 8%. The honourable member knows; he was in that chair. What did he do when he was in that chair? Because this is not a problem inherited just now.

1440

Mr Colle: I asked the minister not to talk to the commissioners or to talk to other politicians; I said to make it clear to the men and women who work on that TTC every day, making it safe, carrying people to work, to doctors' appointments, 24 hours a day, to apologize to them, apologize to the taxpayers of Toronto and the users of the transit system who have made it one of the best systems in the world, and I ask you to apologize to them.

If you're talking about cost-effectiveness, in your own report that you referred to you forgot to mention that in terms of cost-effectiveness the TTC relies less on government handouts than any other system in Canada; 78% of what the TTC makes comes out of the fare box, out of user fares, whereas in Vancouver it's only about 50%; in Montreal it's 40%. It's the least subsidized system in North America and you have the gall to say that these men and women who have made it one of the best are not doing their jobs. Will you not apologize to them for not giving the whole facts on this issue?

Hon Mr Palladini: Again I want to reiterate that I have said all along that the problem is not the front-line workers, whom I do respect. I've commended the TTC front-line workers. I've said it for the past three days. I

even said it when your honourable colleague asked me the question earlier. The problem here is not the front-line workers. The problem here is clearly not the front-line workers.

Mr Colle: You're the problem, and the guy next to you is the other problem.

The Speaker: The member for Oakwood will come to order.

Hon Mr Palladini: I believe we want to get on and get the job done. We are committed to public transit —

Mr Colle: Apologize to those men and women.

The Speaker: The member for Oakwood, would you come to order.

Interjections.

Hon Mr Palladini: Mr Speaker, if there is an apology that I would like to give, it would be to the people of Ontario, to the people of Metro, for the moneys that the management that runs the TTC is not doing what it's supposed to do and I blame —

Interjections.

Hon Mr Palladini: He was the commissioner, Mr Speaker. He was the commissioner in charge.

In any case, we are committed to public transit. There is a firm commitment from the Harris government. As far as the numbers that he's raising, that 78% of the TTC operational funding comes out of the fare box, I would suggest to the honourable member to readdress that situation and find out actually what those numbers really are.

The Speaker: New question.

Mr Gilles Pouliot (Lake Nipigon): A carryover again to the sieged Minister of Transportation who said in this House as recently as Monday, and I quote — he was referring to the Toronto Transit Commission — “the worst transit system across the country.” Well, the response has been quick and direct. This is what Mr Joe Pantalone, who's a TTC commissioner, has to say: “Either he's as dumb as a doornail or he's out to destroy public transit.” The circle that you tread, the pal across the aisle, Mr Leach, his buddy, says, “Al tends to get excited every once in a while.”

Let me give you an example of the legacy of TTC, the relationship and the recognition. The TTC has won the top annual award of the American Public Transit Association in the category of major transit 24 times and it's been awarded 31 times.

The Speaker: Put your question.

Mr Pouliot: The association created the international continuing excellence award — that's the highest award —

The Speaker: Put your question.

Mr Pouliot: — four years ago. They've won it four consecutive years. The minister should really pause and think before he speaks. Sometimes it's better to do nothing. The morale at the TTC is very low. His pal is trying to reconcile. You have a crisis in cabinet. The second row — look at them — is beginning to resemble the death row in political science.

The question is as follows: Will the minister, while he has an ounce of dignity left, do the honourable thing and quickly, expediently and sincerely apologize to the users of the TTC, to the managers of the TTC and to the employees of the TTC?

The Speaker: The question has been asked.

Hon Mr Palladini: Once again I want to say that this government is looking for efficiencies. We're looking to our operating partners to look for those efficiencies. All the honourable member's rhetoric is fine. I'm here to do a job for the people of Ontario and to help my colleagues restore fiscal hope for this province.

To address transit as far as the TTC is concerned, there was a poll conducted today by CITY-TV. The people of Metropolitan Toronto were asked, "Do you get your money's worth from TTC?" Mr Speaker, 4,144 people said no and only 494 said yes. I rest.

Mr Pouliot: Minister, you could well be on your political deathbed, so repentance should come a little easier. Not only do you depreciate the essential service all around you, that of our public transportation system, the most democratic of transportation systems in the province, you strike not only with passion, but you add to passion a sense of vengeance.

Rolling stock: When the Liberals were the government, when we were the government, we fully supplied, allocated 75% of the total cost of rolling stock. You've taken your chainsaw and you've slashed the transfer payments to TTC to 50%. On the one hand you claim that it's the worst system and on the other hand you refuse to give them the funding to justify your approach to and your description of the TTC. Which is it? Come clean, otherwise it will deteriorate and you will be the one to be pushed off the cliff.

Hon Mr Palladini: Sometimes I have a little difficulty understanding the honourable member, but he is very colourful, I must admit. Basically I think he wanted to ask me if we are cutting the support funding to 50%.

We are altering our support methods with all the transit municipalities, but we are doing it in a very orderly and responsible fashion. We are telling the municipalities that as of January 1, 1997, the support funding is going to be 50%. However, this government is committed to public transit, to making sure that public transit is safe, therefore we are investing \$390 million to make sure public transit across the province is safe. On top of that, we are telling the municipalities and the transit system that whatever safety items have not been identified as of today, as long as they're identified by December 31, we will still support the funding to the tune of 75%.

We are in support of public transit and we want to make sure that public transit is safe and viable in this province.

1450

EDUCATION QUALITY AND ACCOUNTABILITY OFFICE

Mr John O'Toole (Durham East): My question is to the Minister of Education and Training. Over the last several months I have met and talked with teachers, students and parents, both personally and in town hall meetings, in my riding of Durham East. Parents and students want to know how they measure up and they tell me they support your establishment of the Education Quality and Accountability Office. Furthermore, they also want to be entitled to compare their progress with other students from across the country. I am proud and confi-

dent that the students of Durham East, indeed of Ontario, are up to that challenge.

Minister, what steps have you taken to allow Ontario students to directly compare their achievements with those of other students from across the country?

Hon John Snobelen (Minister of Education and Training): I thank the member for Durham East for the question. I too have heard from people across the province who share the concerns of parents who were talking to the honourable member about student achievement, about measuring student achievement, about standards of student achievement both across Ontario and how we compare to students across Canada.

It's essential, for improvements in our school system, to know how students are doing on a local basis, on a provincial basis and on a national basis. That's why we support the school achievement indicators program, which is a program offered by the Council of Ministers of Education, Canada. This is a program that in alternate years tests student achievement in mathematics, reading and writing and science. This year's assessment will be conducted in the science area, and the indicators will be at five different levels for students who are about 13 and 16 years old. The results of this will be completed later on this spring.

Mr O'Toole: I am pleased to hear that the school achievement indicators program is well in place and that there will be direct comparisons made. An even better measure would be the establishment of standards of excellence for the whole country. What sort of plan is there for a national achievement standard?

Hon Mr Snobelen: The CMEC will be establishing standards to evaluate student performance in the science programs that are going on this year. Those will be made public in December.

I believe the member is pointing to a very critical issue of high standards of student achievement here in Ontario. I'm convinced that the EQAO will help us in this regard and I'm looking forward to having those standards across the province by an independent testing agency.

Student achievement is the only quality measure that matters in our schools, and unfortunately we do not have a past record to compare student performance with. As I'm sure you'll appreciate and as the parents appreciate across the province, this makes it very difficult to assess whether changes in curriculum or changes in our school system actually help students achieve higher grades of performance. I'm looking forward to a body of test results for students across the province so that we can make fair comparisons of our different programs.

It's unfortunate that some people in the education community have resisted standards of testing over the past decade. We might have had that body of work already done so that we might be able to compare our student achievement now to previous years. Unfortunately, perhaps it was the status quo that had the previous government resist this initiative initially.

LIQUOR AND GAMING CONTROL

Mr Bruce Crozier (Essex South): My question is for the Minister of Consumer and Commercial Relations. I have a ministry document that says in the backgrounder:

"The ministry is proposing to create a new agency, the Liquor and Gaming Authority of Ontario. This agency will be a schedule 1, atypical regulatory body appointing its employees under its own empowering legislation, not the Public Service Act. The LGAO would replace both the Liquor Licence Board of Ontario and the Gaming Control Commission of Ontario."

Minister, are you not just firing 161 employees who will have no idea what their future holds?

Hon Norman W. Sterling (Minister of Consumer and Commercial Relations): No, not really. I think this is part of our business plan to amalgamate two agencies into one to obtain more efficiencies. We'll be talking about that in the very near future, as I indicated to the member yesterday in this Legislature.

We have sat down with the unions that represent all employees from all these areas to try to negotiate a reasonable transition from their employment setting now to their new employment setting, so they are not in the dark; we have consulted with those unions as to their rights in the hope that they would have come to some solution with regard to their future employment problems.

Mr Crozier: Minister, yesterday you did tell me this would be an amalgamation, but this is not an amalgamation. You're eliminating two areas and creating a brand-new one. You're firing the employees.

I have representatives of those employees in the members' gallery today who will say there hasn't been any dialogue. This document simply outlines what you're going to do and, if they don't go along with it, it's a done deal. As an example, it says:

"However, the employer is looking for agreement from all bargaining agents that those affected employees who are transferred to the new agency will defer termination or severance obligations and that there will be no payouts of any kind at the time the offers are made."

These employees will have no guarantee of employment. You've said that in another paragraph, where it says:

"There will be no guarantee of employment made to any employees. The employees will have no representation. The employees of the LGAO would determine representation issues themselves. These discussions do not preclude any surplusage or downsizing from occurring once employees agree to move from the current agency."

You're going to downsize. We've got a problem now in licensed establishments where booze that is smuggled across the border is being used. We need inspectors. You're going to put VLTs out there in 18,000 establishments. You're going to downsize in inspectors.

The Speaker (Hon Allan K. McLean): Do you have a question?

Mr Crozier: Minister, you're just firing them. Won't you admit that today?

Hon Mr Sterling: Actually, what we hope to achieve is a strengthening of the authorities dealing with both gaming and alcohol consumption in this province.

I want to deal with a number of the issues. Number one is that all of the unions have had the opportunity to deal with my ministry with regard to this matter.

Mr James J. Bradley (St Catharines): No, no.

Hon Mr Sterling: Well, you should talk to the member of the union; I believe Mr Coones, who is over here, has been party to those meetings, as a matter of fact.

We asked them if they could decide among themselves on one bargaining unit. They could not decide on one bargaining unit, so they left us with no option with regard to that because we prefer to have one bargaining unit to deal with.

We hope that the severance benefits would transpose on to the new authority so that employees —

Mr Bradley: He is no longer a "U."

Mr Sean G. Conway (Renfrew North): He is no longer a "U."

Hon Mr Sterling: Mr Speaker, I'm having difficulty. Many members don't understand "U" stands for unbelievable. But anyway.

Our attempt with regard to this is to take the existing employees and utilize them in this new combined organization, which will be a much stronger organization, much more regionally decentralized, because of the increase in the employees and adding the two together.

I suggest the member wait till tomorrow when he'll find out all of the details with regard to this.

YOUNG OFFENDERS

Mrs Marion Boyd (London Centre): My question is to the Solicitor General. Minister, this has been a pretty sad and sorry week for you in this House. First of all, you had to admit to us that you didn't know about the Elgin-Middlesex incident for three months, even though your acting deputy knew.

You didn't know about allegations that managers were at the Elgin-Middlesex Detention Centre and at the Bluewater centre at the last weekend and that there were allegations documents had been shredded.

You told us here that the managers who were at Elgin-Middlesex were part of the investigation team. Then you told the press outside that the managers weren't part of the investigation team.

You said you called in the London police on May 31, but we found out yesterday that in fact the London police only assigned officers to begin that investigation on June 10, after that weekend.

Frankly, Minister, you're not in control of your ministry, and every day there's a new issue and every day you make a new movement.

Yesterday, you said you had to call in a person from the Ministry of the Attorney General to help you with these multiple investigations that are going on.

This morning, on your way into cabinet, you told reporters you were going to bring in an outside consultant to investigate your entire ministry, that you were very unhappy. Yet another investigation. Your own ministry officials didn't even know about that until after the scrum. So this is your idea.

Frankly, you are making crisis-driven decisions. You are flying by the seat of your pants. Why did it take these very serious allegations and questions from us and from the media for you to decide to call in an outside consultant to investigate your ministry when you claim there have been problems for 12 years, 15 years, or even longer?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): I think the history of that particular ministry bears out the fact that there have been difficulties with respect to reporting relationships, questions about management styles and structures, and certainly problems occurred during the NDP administration and occurred during the Liberal administration. I think you can draw a straight line.

There has never been this kind of review by an outside agency of the management structures, the reporting mechanisms, and I think it's long overdue. The Liberal government was in office five years; this situation clearly was not corrected. The NDP was in office five years; this situation clearly was not corrected. We've been in office close to a year and I'm going to do my utmost to make sure it's corrected.

1500

Mrs Boyd: It's quite amazing, because when you were in opposition you had all the answers and you had all the criticism of everybody else, and you knew what the problems were because they'd been discussed thoroughly, as you say, in this House on a number of different occasions. The fact is you just don't know what's going on in your ministry. You keep trying to blame your employees in that ministry, but you don't know. But the buck stops here. You're the minister. It's your responsibility to know and it's your responsibility to accept responsibility for what happens in your ministry.

Every day new concerns are raised. Every day you set up yet another investigation. Quite frankly, you're setting up all these investigations so you can avoid your responsibility and be accountable here in this House for what has gone on in your ministry. How can the public have any kind of confidence in you? You've been the minister for a year now. This is not a new area for you; it's one in which you've been the critic for many years. Minister, who's going to be reviewing your conduct and your competence in handling these very serious issues?

Hon Mr Runciman: I think any objective observer simply has to review the record of the NDP government during its five years in office — and to have this member stand on her feet and make the kinds of accusations she's making here today.

I'm accepting the responsibilities I have as a minister of the crown and I'm going to be accepting them in a much more responsible and effective way than my predecessors.

MUNICIPAL RESTRUCTURING

Mr John Gerretsen (Kingston and The Islands): My question is to the Minister of Municipal Affairs and Housing. You know that currently there are about 35 restructuring proposals being carried out throughout the province of Ontario affecting some 200 municipalities. You know what's driving this thing, your notion that bigger is better is cheaper.

You and I attended a meeting in Napanee some six weeks ago in which you made a statement in front of myself and in front of about 200 local politicians to the effect that you know that there are going to be some winners and some losers in this process.

In light of the fact that you're trying to save money and that's why you're doing the restructuring, if as a result of restructuring, the taxes in the municipality are going to go up, will you make a commitment right here, today, on behalf of the government to see that the taxes will not go up by providing the necessary funding?

Hon Al Leach (Minister of Municipal Affairs and Housing): I thank the honourable member for his question. We did attend a meeting in Kingston which was very fruitful, and at least all of the politicians in Kingston know what they want to do even if the honourable member across doesn't.

What we're doing is ensuring that municipalities in Ontario deliver services to the taxpayers in the most effective and efficient way possible, and through restructuring they're going to be able to do that. The Kingston area is a fine example. People recognize in Ontario that there's duplication and waste of effort, and through restructuring that can be corrected.

Mr Gerretsen: I totally agree with you that the politicians in Napanee — we were actually in Napanee, not in Kingston — but in the Napanee and Kingston area they certainly know what's best for their people. But they also know they don't want to be part of a loser municipality, where in effect their taxes within a municipality are going to be more after restructuring than they are today.

You know that these discussions have been going on for a long time in that area. How can you possibly expect municipalities to come up with an adequate restructuring proposal and program when they don't know whether or not they're going to have to start paying for policing — I'm talking about the smaller municipalities now — when they don't know whether or not they're going to have to take over all the highways within their system and be paid for locally, when they don't whether or not welfare costs and other social service costs are going to be paid for totally by the province or by municipalities?

How can you expect the municipalities to come up with meaningful restructuring proposals that are in the best interests of those municipalities and their taxpayers if they don't know what kind of services are going to be expected to be delivered by municipalities? Would you explain that to me?

Hon Mr Leach: The municipalities I've been dealing with certainly understand how to do it. They recognize that in their own county system there is overlap and duplication. They're working to reduce that, and they can reduce that by restructuring. All they want to do is to deliver the services in the most cost-effective way possible, and they intend to do that.

PETITIONS

FAMILY SUPPORT OFFICES

Mrs Sandra Pupatello (Windsor-Sandwich): On behalf of those who receive benefits in Windsor from the local family support offices to the Legislature of Ontario, we submit this petition:

"All concerned parties will suffer if the Ontario government goes ahead with its proposal to centralize

services for collection of support payments from eight regional offices to one central office based in Toronto.

"Communications will be even more difficult, less accessible than they are now. All-new staff will have to be hired. They'll be unfamiliar with the cases. No one worker will have charge of one case. A \$2 fee may be charged to people calling in with inquiries by means of a 1-900 number.

"We strongly disagree with the Harris government proposal to centralize these services in Toronto."

I affix my signature to the legions of signatures that are included with this petition.

COURTCLIFFE PARK

Mr Toni Skarica (Wentworth North): I have a petition from the residents of Courtcliffe Park in the town of Flamborough, which is in the riding of Wentworth North. The petition reads:

"To the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand a public inquiry into the financial management of Courtcliffe Park in the town of Flamborough by court-appointed receiver Deloitte and Touche from May 1992 to November 1995, in particular money collected from the residents of Courtcliffe Park that should have paid taxes to the town of Flamborough, which has led to the possible eviction of more than 200 residents."

RENT REGULATION

Mr Alvin Curling (Scarborough North): I have a petition to the Ontario Legislature, Premier Mike Harris, Minister of Municipal Affairs and Housing Al Leach and members of the Ontario provincial Legislature.

"We, the undersigned, protest the government's action against tenants described below:

"The Rent Control Act protects Ontario's 3.3 million tenants. Rent control allows for security and stability in their homes and communities. Uncontrolled rent increases leave tenants, their families and Ontario communities open to eviction, personal distress and contribute directly to social instability. We want this government to stop any action that will allow uncontrolled rents.

"Further, this government is considering changes to the Landlord and Tenant Act favourable to landlords for easier and faster evictions. This is unacceptable to Ontario's tenants and damaging to Ontario's communities.

"This government also plans to get rid of public housing, has halted the creation of basement apartments and a new supply of affordable, non-profit housing. These types of housing are necessary for low- and moderate-income tenants to obtain accommodation they can afford. The government must cease all actions that reduce affordability and availability of these kinds of housing.

"This government has eliminated funding for United Tenants of Ontario, Locataires unis de l'Ontario, five municipal tenant federations and other important tenant services at a time when they are attacking all tenants' rights. Funding for these groups must be reinstated so that Ontario's tenants, and not just their landlords, are

able to bring their views to bear in government's deliberations on tenants' rights and protection. A consultation process with tenant organizations should be initiated immediately to develop a plan for sustainable funding for services to tenants."

1510

LOTTERY TICKETS

Mr Peter Kormos (Welland-Thorold): I've got a petition that's signed by 1,064 people, most of them residents of Thorold. It reads:

"We, the residents of Ontario, demand that Thorold Magazine be allowed to sell lottery tickets in accordance with the rules and regulations of the Ontario Lottery Corp and not to be discriminated against because of large corporations having a monopoly and control of the lottery operations."

Mr Speaker, you know I've been talking about this several times here in the House.

"We, the residents of Ontario, understand that this petition is to be presented to the Minister of Culture and Tourism, Ontario Lottery Corp and the House of Commons, Legislative Assembly of Ontario by MPP Peter Kormos, who has been given no response to his request in the denial of lottery tickets to Thorold Magazine."

That's signed by, as I said, 1,064 people, including Blair Doyle and Mike Doyle of Thorold, Wendy Smith of Thorold, Susan Knox of Thorold and Dave Cichocki of Thorold.

SCARBOROUGH GENERAL HOSPITAL

Mr Dan Newman (Scarborough Centre): I have a petition signed by a number of residents of my riding of Scarborough Centre. The petition reads as follows:

"To the Legislature of Ontario:

"Whereas the recommendations of the Metropolitan Toronto District Health Council to close inpatient paediatric beds, the special care nursery and the burn unit at Scarborough General Hospital, resulting in significantly reduced access to paediatric, newborn and burn care for a large geographic area of Scarborough; and

"Whereas the paediatric unit, special care nursery and burn unit at Scarborough General Hospital provide very cost-efficient quality care;

"We, the undersigned, petition the Legislature of Ontario to (1) continue paediatric services including inpatient paediatric beds, (2) continue special care nursery services, (3) continue and combine Metropolitan Toronto's burn care at Scarborough General Hospital."

I have affixed my name to this worthwhile petition.

NON-PROFIT HOUSING

Mr Michael Gravelle (Port Arthur): All the residents of public and non-profit housing in this province are very concerned by the government's threats to privatize their housing units, certainly leaving them in a very insecure state and they will not allow this to happen without a fight.

I have a petition here today from the tenants of the St Paul's United Church Non-Profit Housing Corp in Thunder Bay, signed by all the tenants. It reads:

"To the Legislative Assembly of Ontario:

"We, the undersigned tenants of St Paul's United Church Non-Profit Housing Corp, a community of seniors, are concerned that (1) our homes will be lost because of the government's cuts to non-profit housing projects, which will undermine their financial viability, and (2) low-income families and the most vulnerable in our communities will suffer devastating hardship because of cuts to the numbers of needy people receiving rent-geared-to-income assistance and the increased rents for those currently receiving such assistance.

"We call upon you to stop these government actions that seriously jeopardize our future and the ongoing viability of our non-profit housing communities."

I am proud to add my name to that petition.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton Centre): I continue to receive thousands of signatures from workers all across Ontario opposed to this government's anti-labour agenda, particularly as it relates to workplace health and safety.

I have more today from the Canadian Auto Workers over the signature of their president, Buzz Hargrove. The petition is to the Ontario Legislature to save the Workers' Health and Safety Centre and the occupational health clinics for Ontario workers.

"To Premier Harris:

"We, the undersigned, oppose any attempt to erode the structure, services or funding of the Workers' Health and Safety Centre and the occupational health clinics for Ontario workers.

"We demand that education and training of Ontario workers continue in its present form through the Workers' Health and Safety Centre and that professional and technical expertise and advice continue to be provided through the occupational health clinics for Ontario workers."

As I agree with this petition, I add my signature also.

CHILD CARE

Mr Gary Carr (Oakville South): I have a petition, on behalf of the member for Burlington South as well, which says:

"We, the undersigned, do petition the Legislative Assembly of Ontario to restore stability and balance to the child care system by (1) ensuring that all licensed child care providers are treated equally, with all sectors having both the same benefits and responsibilities; (2) ensuring that all licensed child care centre staff receive the same benefits from the government, specifically the wage enhancement grants, regardless of the status of their employer; (3) ensuring that all funding goes directly to the provision of care for children and families in need."

That is presented on behalf of the independent child care centres in Burlington.

RENT REGULATION

Mr Bernard Grandmaître (Ottawa East): I have a petition addressed to the Ontario Legislature.

"We, the undersigned, protest the government's action against tenants described below:

The Rent Control Act protects Ontario's 3.3 million tenants. Rent control allows for security and stability in their homes and communities. Uncontrolled rent increases leave tenants, their families and Ontario communities open to eviction, personal distress and contribute directly to social instability. We want this government to stop any action that would allow uncontrolled rents.

"Further, this government is considering changes to the Landlord and Tenant Act favourable to landlords for easier and faster evictions. This is unacceptable to Ontario's tenants and damaging to Ontario's communities.

"This government also plans to get rid of public housing, has halted the creation of basement apartments and a new supply of affordable, non-profit housing. These types of housing are necessary for low- and moderate-income tenants to attain accommodation they can afford. The government must cease all actions that reduce the affordability and availability of these kinds of housing.

"This government has eliminated funding for United Tenants of Ontario, Locataires unis de l'Ontario, five municipal tenant federations and other important tenant services at a time when they are attacking all tenants' rights. Funding for these groups must be reinstated so that Ontario's tenants, and not just their landlords, are able to bring their views to bear in government deliberations on tenants' rights and protection. A consultation process with tenant organizations should be initiated immediately to develop a plan for sustainable funding for services to tenants."

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton Centre): I'm proud to present a petition from Local 42 of the Communications, Energy and Paperworkers Union of Canada based in my home town of Hamilton.

"To the Legislative Assembly of Ontario:

"Whereas it is vital that occupational health and safety services provided to workers be conducted by organizations in which workers have faith; and

"Whereas the Workers' Health and Safety Centre and the occupational health clinics for Ontario workers have provided such services on behalf of workers for many years; and

"Whereas the centre and clinics have made a significant contribution to improvements in workplace health and safety and the reduction of injuries, illnesses and death caused by work;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to oppose any attempt to erode the structure, services or funding of the Workers' Health and Safety Centre and the occupational health clinics for Ontario workers.

"Further, we, the undersigned, demand that education and training of Ontario workers continue in its present form through the Workers' Health and Safety Centre and that professional and technical expertise and advice continue to be provided through the occupational health clinics for Ontario workers."

I sign my name in support.

JUNIOR KINDERGARTEN

Mr John Gerretsen (Kingston and The Islands): I have a petition signed here by numerous people which states as follows:

"Whereas this Conservative government's stated plan in the Common Sense Revolution is to improve the long-term economic prospects for Ontario; and

"Whereas research from all over the world shows early childhood education leads to lower dropout rates, improved reading, math and language skills, less chance of future unemployment, teen pregnancy or delinquency, and higher enrolment in post-secondary education, thus resulting in a better-educated, highly skilled workforce; and

"Whereas this Conservative government states it is committed to ensuring a larger share of the education dollars goes to the classroom; and

"Whereas this Conservative government fully expects boards to meet transfer reductions by cutting costs outside the classroom; and

"Whereas this Conservative government has made junior kindergarten a matter of choice for local school boards and has reduced the funding for junior kindergarten,

"Therefore, to ensure this government meets its stated commitments in regard to education and to Ontario, we, the undersigned, call on the Minister of Finance and the Minister of Education and training to restore the funding of junior kindergarten to its previous level and require all school boards to offer junior kindergarten classes."

I affix my signature to it.

1520

VIDEO LOTTERY TERMINALS

Mr James J. Bradley (St Catharines): I have a petition from a large number of people in Ontario that reads as follows — hundreds of people are expressing concern about this:

"Since video lottery terminals will contribute to gambling addiction in Ontario and the resulting breakup of families, spousal and child abuse and crimes, such as embezzlement and robbery; and

"Since the introduction of video lottery terminals across Ontario will provide those addicted to gambling with widespread temptation and will attract young people to a vice which will adversely affect their lives for many years to come; and

"Since the introduction of these gambling machines across our province is designed to gain revenue for the government at the expense of the poor, the vulnerable and the desperate in order that the government can cut income taxes, to the greatest benefit of those with the highest income; and

"Since the placement of video lottery terminals in bars in Ontario and in permanent casinos in various locations across the province represents an escalation of gambling opportunities; and

"Since Premier Harris and Finance Minister Eves were so critical of the provincial government becoming involved in further gambling ventures and making the government more dependent on gambling revenues to maintain government operations;

"We, the undersigned, call upon Premier Harris and the government of Ontario to reconsider its announced decision to introduce the most insidious form of gambling, video lottery terminals, to restaurants and bars in this province."

I affix my signature to this petition as I'm in complete agreement with all the provisions contained within this petition.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr Martin from the standing committee on government agencies presented the committee's 12th report.

The Acting Speaker (Ms Marilyn Churley): Pursuant to standing order 106(g)(11), this report is deemed to be adopted by the House.

INTRODUCTION OF BILLS

AUDIT AMENDMENT ACT, 1996 LOI DE 1996 MODIFIANT LA LOI SUR LA VÉRIFICATION DES COMPTES PUBLICS

Mr Grandmaître moved first reading of the following bill:

Bill 74, An Act to amend the Audit Act / Projet de loi 74, Loi modifiant la Loi sur la vérification des comptes publics.

The Acting Speaker (Ms Marilyn Churley): Is it the pleasure of the House that the motion carry? Carried.

ORDERS OF THE DAY

EXTENDED HOURS OF MEETING

Mr Hodgson moved government notice of motion number 8:

That, pursuant to standing order 6(b)(i), the House shall continue to meet from 6 pm to 12 midnight on June 17, 18, 19, 24, 25, 26 and 27, 1996, at which time the Speaker shall adjourn the House without motion until the next sessional day.

Hon Chris Hodgson (Minister of Natural Resources, Northern Development and Mines): This is a traditional motion, as set out in the standing orders, that during the last two weeks before the House adjourns in June, sitting hours are extended until midnight to allow business to be cleared up before the end of the sitting. It's my understanding that the House leaders have been meeting to negotiate the legislative agenda to the end of June and I'm confident they will have an agreement in place that will be acceptable to all three parties.

Mr James J. Bradley (St Catharines): This is, as some people would say, a routine motion, but one that we in the opposition consider to be a very significant motion. That doesn't mean I'm about to embark upon a 90-minute speech this afternoon on its merits, which have drawn

applause from the Conservative benches, but it does mean that there is an opportunity perhaps just to discuss a few items that we might be discussing during that period.

If the government were to order its business correctly, it would bring in bills at the appropriate time and not bring in bills and major legislation and major initiatives at the very end of a session so there is little time to deal with them and so that we are forced into nightly sessions, where I have found them, while interesting, not always to be as productive as the daily sessions.

There was a time when the two opposition House leaders asked the government House leader for further business, and they could not tell us what the business would be two days ahead of time mainly because many initiatives seemed to be buried somewhere or were being withheld by the government so that they could rush them through at the end of the session. That is not necessarily unique to this government, but certainly something I observe is happening at this time.

This resolution will enable us to sit each evening, right through, by the way, from 1:30 to 12 o'clock midnight, and will allow the government to put through a good deal of its legislation. Some of the more rabid backbench members of the Conservative caucus, the true believers, as I refer to them, who are concerned about cooperation of the opposition in terms of legislation going through the House should note that the House leaders and whips and those who attend that meeting are able to come to some amicable conclusions. Even though we do not necessarily believe that the legislation merits the support of the opposition or passage, we in opposition recognize that an election is the time at which people make a choice of government and that the government has an opportunity, and should have that opportunity, to present its legislation to have it dealt with appropriately.

Rather than these motions that get made in the Legislative Assembly committee by the true believers, by those who wish to punish the opposition for daring to challenge the government in an aggressive way on any legislation, the members of that committee, and particularly the authors of the specific motions, should know that these matters are resolved to the satisfaction of the three parties. The relationship between the people who attend that meeting is a good relationship. We are adversaries politically, and I notice that the deputy House leader of the government is here and she would probably be able to confirm that the meetings, while at times there can be some heated discussions, are generally amicable, and there's a determination to come to some conclusion which is acceptable to all. That exercise has taken place over the past couple of weeks despite the constant threat from the extreme right, which launched its salvos against the opposition in committee from time to time.

I would like to have time during the evening sessions in the last two weeks to discuss the 120 layoffs at the St Catharines General Hospital that have been announced in addition to a previous 100 layoffs. What is very interesting for those of us who sit in opposition is to look at the reaction of the government to this. I think the government has been successful in doing one thing, and that is intimidating a lot of people in this province.

I can well recall — I was discussing this with an NDP member — showing a clipping from a newspaper which talked about "Hospital Slashing Workforce" and the next day saying "'Future Bright Despite Layoffs,' they say. 'I think in many ways you'll get better care.'" There isn't anybody who believes that to be the case, but the threat is there that if you don't comply with the government's dictums, if you don't easily accept from the government the cuts that are coming in the health care field, your hospital could be closed, "So keep your mouth shut and comply with what the government wishes and you might be all right."

I remember one NDP member saying that they always said if they didn't get a 10% increase, the world would fall apart in terms of their budgets, and now we see this happening. I won't get into the detailing of all of them, but what's interesting to watch is that happening, the government able to intimidate people so they will not question what the government is doing, the threat being closure or further punishment from the government, and it works. It has been working; I see it working right there.

I'm sure the people who work in St Catharines General Hospital are not amused and I'm sure that patients who will be going to the hospital for hospital care will notice a substantial difference. But the government has been successful in intimidating them, just as in education, in some cases, some of the boards of education are accepting something they would never accept from any other government because the threat is there that there will be further punishment.

1530

The Minister of Education and Training is here this afternoon to listen to this very important debate. He has been successful in getting the message out to them that, "If you don't comply with what we want, there could be further punishment." Some people agree with that. I'm sure that gets applause when you go to the Canadian Manufacturers' Association or — I won't say the John Birch Society; that would be a little too far right. I don't think we have that in Canada. But some very right-wing group, whatever it would happen to be, would applaud that.

I would like further time in the House. I would love to sit in the month of July — I enjoy sitting in July in this Legislature — so we could have further questions, so we could talk about and try to resolve — because I'm a person who wants to help resolve — problems. I'm trying to resolve a conflict between Al Leach, the Minister of Municipal Affairs, and Al Palladini, the Minister of Transportation. They are fighting publicly. They're out in the scrum. A scrum is, of course, where the reporters ask some questions. One was the head of the TTC. He got the medals; I saw them presented. I applauded at the time that we would have a person in Ontario getting a medal of this kind. Then I heard from the Minister of Transportation that they were doing a terrible job all this time and that this has to be rectified, that this was the worst in the country. I would like to resolve that conflict, the insults that are being cast at Al Leach, the Minister of Municipal Affairs, by the Minister of Transportation. I'd like to help out in accommodating these two people. If we sat in July

and perhaps had a few more question periods, rather than sitting to midnight, we might be able to solve that problem.

I would like to be able to deal with the problem of nuclear safety, for instance. The Minister of Environment and Energy is here. She's hiding a report on the safety of our generating stations. The member for Bruce is here. The people in Bruce want to be assured that all of these generating stations are safe. If we release these reports publicly and if there's nothing to worry about in the reports, all of us will be saying, "Hurray." I will be applauding that; my friend the member for Bruce will be. The members who surround Pickering will be very happy to see these reports. If there's nothing to hide, why wouldn't you release the reports on the safety of our nuclear generating stations? We want to assure the people who are around there of this. The minister seems to be confident that these reports will make everybody feel good and that we won't have to worry about anything.

That's why, rather than going into the sessions to midnight, I would like to see carrying on into the month of July. We already have the MRI for St Catharines, so I wouldn't have to deal with that particular matter that I've dealt with many times in this House.

I would like to ask more ministers than the Minister of Economic Development, Trade and Tourism what they think — maybe the Minister of Natural Resources, because he's involved with the companies that make paper. I would like to find out what he thinks of Conrad Black taking over 58 out of 104 newspapers in Canada, and now we read nothing about it.

I asked a question in this House. I faxed it to every one of those newspapers that are Southam newspapers and Hollinger newspapers. Do you know how many people covered that? Do you know how many of those newspapers covered that salvo at Conrad Black? I haven't found any yet. I know members of the House will be surprised. I have seen some puff pieces on Southam and Hollinger appearing in these various newspapers. I didn't see anything about it. It makes me suspicious that perhaps Conrad Black's group is using the same kind of intimidation this government is using, that it's being effective, that perhaps that's the way of the future, that people are going to intimidate.

I would like to have more time because I would like to be able to ask more questions about VLTs. My suspicion is that video lottery terminals — and members of the government are worried we won't get through all of our legislation this afternoon. I want to tell you that it is my estimation we'll get through all that legislation this afternoon.

Mr Wayne Wettlaufer (Kitchener): Not if you keep going.

Mr Bradley: I want to alleviate those concerns.

VLTs: I can't believe that some of the good members of this government, the backbenchers particularly, aren't beside themselves over the thought that the VLTs are going to be introduced, that the most insidious form of gambling, as the member for Welland-Thorold referred to it, "the crack cocaine of gambling," will be introduced in bars across this province and that it will be preying upon

the most vulnerable people, the most desperate people and often those with the least resources in our society.

That's why I'd like to sit into July, maybe even August, to be able to discuss those matters, because I think those issues have to be canvassed. I think the member for Ottawa-Rideau would like to be here in July to talk about that. No doubt he's worried what will happen with the VLTs. Yes, the coffers will be full. Yes, the government —

Mr Garry J. Guzzo (Ottawa-Rideau): Around the clock, just like Bob Rae did.

Mr Bradley: He interjects to say, "Just like Bob Rae did." That isn't true, because last year the House sat — the government House leader of the day will correct me if I'm wrong — only 20 days under Mr Rae.

Mr David S. Cooke (Windsor-Riverside): It was 20 days too many.

Mr Bradley: He said, "Twenty days too many."

This whole issue deals with the rules of the day. I said at one time — and I'm not attacking the NDP; I want to say to the NDP I'm not attacking them today because —

Hon Mr Hodgson: Your friends.

Mr Bradley: No, because the enemy is on the other side at this time. But when they changed the rules, I'm sure the government House leader, now the House leader of the NDP, was not responsible. I'm sure someone else made him do it, probably the Premier. He's gone; it's safe to say that. I know that the new members would like to have seen the rules previous to the previous government, the NDP government, changing them. They really restricted the role of all members of this Legislature.

Today you should be thanking and applauding the NDP for those changes in rules. I'm not doing so. I think that probably if they had to do it again they wouldn't do it. But when you want to talk about further rule changes, I'm telling you the changes they made really restricted the opposition. The member for Grey-Owen Sound, who is walking through the House now, was beside himself over those changes in the rules.

I would like to talk about the privatization of the LCBO if I had a chance in the subsequent question periods, because I think it's ill-advised that the LCBO be privatized. It operates extremely well at this time and it's simply a major error to turn that over to individual establishments in the private sector. They do an excellent job today. That's a creation of the government of Progressive Conservatives, the LCBO, and I'm complimenting you on that. They help to promote Ontario wine, and that's why that's important as well.

I would like to have additional question periods instead of sitting to midnight to talk about the increase in tuition that we're seeing for students around this province, because what's going to happen is that we're going to go back to the days — there are students who are sitting in the gallery today. They are probably senior elementary school students sitting in the gallery. Some day they are going to want to go to college or university. I want to ensure that when they do, it's not just the rich students who will be able to go, not just those in the most privileged classes who are able to go, but people of all backgrounds who will have the affordability factor that will permit them to attend college and university in the future.

I see our system moving today back to where the rich kids get to go to university. In fairness, those who are extremely competent and are able to win the various scholarships would still be able to go as well. But the students who perhaps aren't the very top but are good students will not be able to go because they will not be able to afford it, and certainly there aren't the summer jobs with the adequate pay to be able to meet the new expenses. That's why I would like to see us not sit till 12 o'clock midnight, but rather have a sitting into July.

I would like to be able to deal with gas prices that continue to rise and that are defended by the Minister of Consumer and Commercial Relations and the Minister of Economic Development, both of whom decided they would defend the oil companies instead of the consumers of this province. I'd like to have more time. Even some of the government members might want to have a chance to ask some questions of the ministers in that regard, or the Planning Act and the ramifications of the changes, or the complete gutting of the Ministry of Environment.

I'm sympathetic to the Minister of Environment. I feel badly when I have to rise in the House, or others do, to attack the Minister of Environment, because no doubt she would like to have the resources to do her job properly. She's not sitting there wanting to see her ministry dismembered, gutted, torn apart, the reduction in the funding. She doesn't want to see that.

1540

Interjection.

Mr Bradley: If she does — the member for Chudleigh Farms says yes, she does. I can't believe that because in her previous incarnation she owned an environmental store, I think, in Guelph. We had some great expectations that she would be leading us into a new era in the field of the environment. Instead the government has taken away all the resources she has to do her job. I have suggested, not out of malice towards her, that an appropriate gesture would be to say to the Premier, "Why don't you take this job and keep it," or something like that, as a protest. That hasn't happened. It might happen. But I certainly express sympathy for the minister for having her ministry gutted by the rest of the government.

There's a workfare program announced today, and I was happy to see that workfare's already taking place in Ontario in the government agencies committee, where defeated Progressive Conservative candidates and campaign managers and other hangers-on are able to get jobs from the government and be paid very handsomely for that. So we know those people will not be out of jobs.

There are a lot of things I'd like to discuss but we don't have that opportunity. It appears that the consensus will be in this House that we will be sitting to midnight in the weeks coming up. The NDP has a convention coming up. I want to express to them the hope that they choose the candidate that we believe will be the best for the NDP, and I won't suggest who that might be. But of course we will want to try to accommodate the NDP in terms of holding its convention in the near future.

So I point out, and I think the NDP House leader would agree with me, because he missed the first part of the remarks —

Mr Cooke: I was watching on TV.

Mr Bradley: — that the matters of this House can be best dealt with by the House leaders, the whips and others who gather together, and not by right-wing zealots firing rockets into the Legislative Assembly committee, trying to penalize members of the opposition who are aggressive in their determination to draw to the attention of the public the difficulties the government is bringing upon this province.

I am prepared to sit till midnight, I guess, even though I would prefer to sit into July and August with question periods, to deal with this legislation, and I know that the people of Ontario will be very interested in the debates that take place. I just hope that before they do so they will reconsider some of the legislation they're advancing such as video lottery terminals, and that they will withdraw that legislation. I'm not hopeful, but I hope that will be the case.

I look forward to working with the government House leader, the House leader of the NDP and others in ensuring that appropriate debate takes place on all policy and all legislation coming before this House.

Mr Cooke: I'll be very brief. I should point out to the new members of the assembly that the reason we're debating this motion today is because of rule changes that were brought in when the Liberals were in power and that they imposed on the opposition parties which were unwilling to accept them at the time —

Mr Bradley: The good old days. Wouldn't you like to have those rules now.

Mr Cooke: I don't know. Anyway, we will be supporting the motion. There are a couple of reasons why I think we should support the motion. Obviously, we want the House to break for the summer because it's important that committees get out across the province and consult with the public on a number of matters, and we'll be negotiating that with the government House leader. I think it's important that we not insulate ourselves in this place all the time. We've got to get out and listen to constituents.

But more important than that, as important as that is, I think we've got to adjourn because there's going to be a cabinet shuffle, and there won't be a cabinet shuffle until the House adjourns for the summer. Therefore, it's in the public interest that this place sit in the next couple of weeks to midnight in order to get the government's business done and we can pass judgement, so that a number of cabinet ministers who have demonstrated they are completely and totally incompetent can be shuffled out of their cabinet positions and therefore the people of this province will be better off.

I'm not going to go over all of those ministers, but I think there were two excellent examples today in the Legislature, the Minister of Transportation and the way that he responded to the member for Renfrew North, and the way he responded to my colleague the member for Lake Nipigon. Quite frankly — I've been here 19 years now — I don't remember a government being as arrogant as this government was. Even between 1981 and 1985 when the Davis government got back their majority and there was a fair amount of arrogance that was widely reported and observed, that government was never as arrogant as the Minister of Transportation was today in

the way he has dealt with the TTC, the people who provide transportation in this community and the people who run that transportation organization.

I must also say that the Minister of Community and Social Services today, in response to questions from my leader and from the member for Beaches-Woodbine, demonstrated a level of arrogance and incompetence towards the members of this place, but more importantly, to the poorer people of this province, in the way he responded to legitimate questions on workfare. I think if only those two ministers were moved out that would be in the public interest, but believe me, there are many others. The Minister of Education has got to go. But the point being that there won't be a shuffle until the House adjourns for the summer. There's never a shuffle when the Legislature is sitting, so the sooner we can accommodate that, the better it is.

It's also a little frustrating for us over here when you see the amount of legislation that has been introduced into the Legislature in the last couple of weeks, and now all of a sudden the government wants to deal with all that legislation. It's only a few weeks ago that there was only Bill 30, 31 and 34, three education bills, on the order paper. That was it. Nothing else had been prepared; nothing else had been introduced. In fact, there was one week where we almost completely ran out of legislation. The only way it continued was that the government House leader had the Tory backbenchers up stringing out the debate. There was nothing else on the order paper to deal with.

I think the government House leader has to take a look at how he organizes the Legislature. It's not really a sane way of proceeding with late-night sittings till 12 midnight. A better way of dealing with it would be to introduce the legislation earlier on in the session, allow for the public to digest the legislation, allow for the members to analyse it and consult with those who are affected, have a debate at second reading and get the items out for public hearings, but instead, a little bit of incompetence in terms of when the legislation is being introduced and the long period of time that it's taking to prepare it, the Legislature almost shutting down a few weeks ago because there was nothing to deal with.

We'll support the motion because we believe it's the government's right to deal with their legislation, but I look forward to the day that this place is better organized, that legislation is introduced in an appropriate time and that we're not rushing. I look forward to good-faith negotiations with the government House leader so that there is thorough and complete consultation during the break on things like rent control, which is of great interest to hundreds of thousands of families across this province.

We would also like to see — and with the Minister of Energy here — a follow-through on the commitment that she gave in the House the other day that the Macdonald report needed public consultation. Therefore, it's our belief that how that should happen is with the standing committee of the Legislature. That report should be sent out and the public should be consulted on how this government wants to sell off its most important asset,

namely, 35% of Ontario Hydro which is currently owned by all of the people of this province.

That is something the public would want to participate in, would want to give their views on, and I think the government is pulling back from that commitment the minister gave in the House the other day because they know that privatization of Ontario Hydro is something that would enjoy very little or virtually no public support in this province if there were public consultations.

We look forward to the next couple of weeks in dealing with government legislation and then we look forward to consulting the public throughout the summer, and we will be supporting this motion to accommodate that.

The Acting Speaker (Ms Marilyn Churley): Mr Hodgson has moved that, pursuant to standing order 6(b)(i), the House shall continue to meet from 6 pm to 12 midnight on June 17, 18, 19, 24, 25, 26 and 27, 1996, at which time the Speaker shall adjourn the House without motion until the next sessional day.

Is it the pleasure of the House that the motion carry?
Carried.

1550

EDUCATION QUALITY AND ACCOUNTABILITY OFFICE ACT, 1995

LOI DE 1995 SUR L'OFFICE DE LA QUALITÉ ET DE LA RESPONSABILITÉ EN ÉDUCATION

Mr Skarica moved third reading of Bill 30, An Act to establish the Education Quality and Accountability Office and to amend the Education Act with respect to the Assessment of Academic Achievement / Projet de loi 30, Loi créant l'Office de la qualité et de la responsabilité en éducation et modifiant la Loi sur l'éducation en ce qui concerne l'évaluation du rendement scolaire.

Mr Toni Skarica (Wentworth North): I have a few brief comments, but before I commence I'd like to address the remarks made by the leader of the third party regarding Tory backbenchers stringing matters out. I assure you that I have been requested by the House leader to be short and sweet in my remarks, and given my height, I can assure you that only the second part of that request represents any challenge.

The Education Quality and Accountability Office will operate at arm's length from the government. It will evaluate the quality of elementary and secondary education in Ontario and, based on this evaluation, will provide strategies for improvement.

There's a long history of discussion and attempts by previous governments of this House to carry out similar initiatives. To be fair, and the government is always fair, I would like to acknowledge the initiatives of the House leader for the third party with reference to forwarding this act and I would like to commend and congratulate him for his initiatives in that regard.

Bill 30 is good public policy. It is truly non-partisan. I'm proud that the Mike Harris government has succeeded in bringing this bill forward and seeing it through. As Bill 30 moved through the standing committee process, we listened carefully to each presentation at the public hearings — all members, from all parties.

We heard from representatives of teachers' federations, school boards, supervisory officers, parents, the aboriginal community and other groups. These consultations made Bill 30 a better piece of legislation. For example, it was amended to ensure that the only personal information that the EQAO could disclose would be that expressly permitted under the Freedom of Information and Protection of Privacy Act. Of course, the EQAO will liaise with the information and privacy office, using that office's knowledge to ensure the confidentiality of personal information. It is an example, contrary to claims made by the opposition, that this government does listen, does consult and is not afraid to act accordingly.

I would like to express appreciation to all those involved in the hearings for their suggestions. I'm confident that the best possible legislation has come out of this process. To be truly accountable, our education system must provide relevant information on how well schools are teaching and how well students are learning. With this initiative, teachers, parents and students will know what standards of performance to expect and whether Ontario students actually meet these standards.

In establishing the Education Quality and Accountability Office, our government is making a commitment to quality assessment and a long-term investment that will lead to ongoing improvement of student performance and of the entire education system. I hope I've complied with the House leader's request and accordingly thank you, Madam Speaker.

Mr Richard Patten (Ottawa Centre): I am pleased to speak at third reading on Bill 30, An Act to establish the Education Quality and Accountability Office and to amend the Education Act with respect to the Assessment of Academic Achievement.

I am pleased that we have the opportunity to speak once again about the issue of academic achievement because I believe, as I'm sure most believe, that this is a critical issue. I'm very pleased to see some young people in the galleries today who will hear this debate and how it might affect their future in the classroom and education standards throughout Ontario. We're very pleased to see you. Welcome.

Over the past year there has been really a very frenzied trend in education that has continued, and unfortunately the issue of academic assessment has been overshadowed by the funding crisis brought on by this government's policies and cuts and the debate over the establishment of a college of teachers. That certainly was the case during the limited combined committee hearings for both Bill 30 and Bill 31. I personally find it regrettable that Bill 30 did not receive the attention I think it warranted and should have had. However, I look forward to moving ahead with this new Education Quality and Accountability Office, and I think it will play an important role in our educational system and help to keep quality of learning on track.

Last Sunday I came across an article in my home community of Ottawa. The article was in the Ottawa Sun and it was with regard to the upcoming tests of grade 3 students. I was pleased by the comments made by Joan Green, who is the CEO of the office. She is with us today in the gallery and I am delighted to see her present

here, as she was almost every day of the hearings to listen to the suggestions and the ideas that were made by a variety of witnesses that paid testimony to their concerns and thoughts.

Although there still seem to be some wrinkles which the ministry needs to work out in terms of the common curriculum, I know that the standards will be addressed by this particular office. There is certainly a keen understanding, a sense of enthusiasm.

I had the good fortune of meeting with a board member and Ms Green earlier on and received a very thorough and comprehensive briefing on the plans that were there. Frankly, it was a personal education for me and a pleasant one in that I was very impressed with the comprehensive nature of the approach to testing, that this isn't simply multiple choice that will be passed along to students, that the assessment was not only of students but had a relationship to the curriculum and a relationship to the program. Rather, it's an assessment process that is interactive — it's not just a passive one — and one in which we know as much about what goes in as about what comes out and how the two relate.

While we can talk about how the public and parents want to know how students are doing, I quite frankly think that they are second to what the students want to know about themselves and how they are doing in relation to other students. I know that students want to achieve, that they do want to learn and that the best thing we can do is provide them with a healthy learning environment that nurtures this desire to learn.

We have to ensure that we involve students as active partners in the learning process and in this manner we can build an education system which truly meets their needs.

Our educational system is not simply about dollars and cents and it's not simply about value for money. It is about quality and it's about accessibility. Accessibility is becoming a more important value as time goes on, when we see some of the educational policies that are being proposed by this government.

In terms of assessment, in short, it's about the achievements of students, ensuring that what we teach and how it is taught are both relevant and effective to future success in life.

1600

I am concerned that the office plans to delay the literacy tests for grade 11 students due to the reforms of the proposed secondary school program, which has yet to surface in its final form. Based on what we have seen so far, such a measure at this time would be highly relevant so that we can assess the impact of the changes to the secondary program which this government plans to bring forward. After all, the work of the office not only will be to measure the achievements of students, but will also encompass the programs and teaching methods themselves. Is this not its true function?

It seems to me that our education system is somewhat under siege from a number of quarters and it's my concern that quality may be the victim in this battle. The changes to junior kindergarten, to adult education, to the funding, to the freeze on capital spending, especially for high-growth areas of the province, place tremendous

pressures that increase the very size of our classrooms and therefore make it much more difficult to sustain the quality of program that teachers are attempting to support.

I recently attended a town hall where the impact of the capital freeze was examined. It happened to be in the minister's riding. At the time there were, as you can imagine, some fairly irate parents who were there, some school teachers, a number of principals and trustees. We heard about the stress that this, let alone the shortage of classrooms, is putting on students and on teachers. I believe in that particular area there was a need for 27 new schools. That board doesn't know where these schools will come from, so in the interim of course there will be many portables. Portables are not the ideal situation and they're supposed to be temporary. They certainly do not add to the quality of things.

We know the physical environment impacts on learning, and later on down the road we hope we will get some reaction from the office in terms of its statements as to even the very physical environment in which our students find themselves and how that impacts on their capacity to learn.

It has also been said by some that this government is prepared to use misinformation to undermine confidence in our education system to further its economic agenda. It's bad enough that the Minister of Education uses faulty figures in terms of spending, but I was shocked last week when the minister took aim at students and said that grade 9 students only read at a grade 4 level. I thought: "My gosh, I have missed something here. I have missed some important survey, study or exam." We called the ministry to ask what the reference point was. We are still waiting for what the reference point was and I think we will perhaps wait a long time because I don't think there is a reference point for that.

This is of course completely out of whack with the 1994-95 grade 9 reading and writing tests that most of us in this House concerned about education will have seen. Hopefully, once the office is up and running, it will help to provide some accurate information in a forthright manner for all of us to see, to digest and debate, and hopefully will be the basis on which further policies and resource allocations are made.

In a roundabout way, it is only appropriate that we now have this office to assess quality at a time when this government's action threatens the quality and accessibility of education in Ontario. I don't use those words lightly. Quality is obviously the basis of the whole educational system, but I will remind some of my colleagues on the government side that you will note that the Minister of Education uses the term "accessibility" less and less frequently at this particular stage, because indeed accessibility is more and more a concern. But I am certain that this office will join the Working Group on Education Finance Reform and the long list of studies which recognize, for example, the academic value of junior kindergarten. I look forward to that.

I was very impressed, as I had mentioned already, with the dedication and the commitment of Joan Green and the board members I met and the staff she is assembling. I am confident that they will do a very fine job that will be

worthy of the confidence we are bestowing upon them through this office.

Those are my comments on this bill and I shall be pleased to be adding my vote to its passage along with wishing the staff and the board of the new office my sincerest best wishes for their and our students' success.

The Acting Speaker (Ms Marilyn Churley): Questions or comments?

Mrs Marion Boyd (London Centre): I'm very happy to stand and speak to the comments of the member for Ottawa Centre and particularly to the part of his discussion where he was talking about the quality of work that has gone into devising the system of evaluation. He mentioned Joan Green's name, and those of us who have had the opportunity to work with her and to know her work in the city of Toronto over a number of years, know her sensitivity to the changing and the multicultural needs of children and how those kinds of needs relate to the whole issue of evaluation, have a sense of comfort that someone of her knowledge and experience has been heading up this project.

The member for Ottawa Centre was also very right to point out that a great deal of expertise has gone into the process of looking at evaluation, finding ways in which that evaluation can have a meaningful result in telling those who are teaching children, those who are parents of children and, as he pointed out, children and youth themselves where the areas of weakness are in their learning process, where concentrated effort needs to be put to ensure that the very best opportunity to excel happens for every student.

That was not always the case with evaluation. When the great rage for evaluation and testing first came in, it was basically, as the member described, an issue that was fraught with discriminatory difficulties in terms of gender, race, culture and language. It is very important that only by steadfastly working as we have done in this province over the last six years to devise an appropriate scheme of evaluation can we have confidence that all children will have an equal opportunity.

Mr James J. Bradley (St Catharines): I want to commend the member on an excellent speech this afternoon on Bill 30. He noted at the beginning, as has the member for London Centre, that some of the original thoughts that were brought forward on testing were not, let's say, as non-political as one might have hoped. It has always been popular to attack the education system and to say that there is no quality in it and that we don't evaluate it. That's why I think it was important to move cautiously and with a good deal of care in bringing forward the legislation. The opposition slowed down the process considerably so that this could happen. There was some committee work that was done on it, which I think was valuable, some addresses that were made to this assembly that probably clarified some of the contents of this legislation.

I also want to commend the member on reminding members of the House of some of the problems that are arising outside of this, with the government making significant cuts to junior kindergarten across the province; eliminating grade 13 for students; tampering with the curriculum once again, involving the teachers in even

more paperwork and less teaching, which I've always thought was not of great benefit; a capital freeze that's taking place, which forces students into substandard accommodation in the learning atmosphere that they deal with; and of course the significant cuts to adult education at a time when we're trying to retrain and re-educate and re-equip people to get back into the workforce.

I think the member addressed all those issues, and as he does so often in this House, he expressed himself well on them and contributed significantly to this debate.

1610

The Acting Speaker: Further questions or comments?

Mr Peter Kormos (Welland-Thorold): It's nice to see you in the chair once again. I'm pleased to respond, to comment. It's trite to think that there's anyone in this Legislature, in the community, who wouldn't want to see an evaluative process, a means whereby we can test the effectiveness.

I know Tony Skarica, parliamentary assistant and the member for Wentworth North, to have a very strong personal commitment to education. I've witnessed that first hand and I've appreciated the work I've seen him do at a very personal level. However, to talk about this process, to talk about Bill 30 in the context of what is the most savage and barbaric of attacks on public education here in Ontario goes well beyond ironic.

In Niagara region alone hundreds of pink slips issued to skilled, competent, committed, qualified teachers, junior kindergarten slashed, and you don't need Bill 30 to tell you what the abolition of junior kindergarten is going to cost our communities and our families and our young people in terms of their futures. We don't need this process to tell us that the slashing of junior kindergarten in virtually every school board and every region of this province is going to carry with it a human cost and an economic cost, that these Tories choose to ignore with disdain, for our young people and their futures and the future of our province and the future of our country.

Here's a government that has no understanding and no appreciation of what quality education means. Here's a Conservative government that is going to trash education for the single, sole purpose of a 30% tax break for their rich friends, people who can afford the private schools. This is privatization. This government's policy on education is privatization.

Mr Mike Colle (Oakwood): We're very concerned about what's happening to the quality of education in this province, and certainly accountability. One concern that many people in my area of Oakwood have is that a lot of young and willing teachers, for instance, have been laid off; they've been given their pink slips. I think it's most disgusting that there are young, qualified teachers who are now having to go to Japan to find work as teachers.

Here's a young country like Canada with willing, educated young people who want to make education better in this province. What are we telling them? The government is telling them: "There are no jobs here in education. We're cutting back. We're giving everybody pink slips. We're increasing class size. If you want to be a teacher, you go to Japan and work." They go to Japan and they basically make minimum wage. Is this the kind of Ontario and the kind of education system we want to

build, where our most qualified young people, who want to dedicate their lives to giving quality education to children, are forced by this government to go to Japan and other countries?

This is an indictment against what this government has been doing. Our schools will be much better if we give more opportunities to these eager teachers to be part of a new educational system, a new rebirth. Instead, the door is being shut in their faces and they're being kicked out of Ontario, kicked out of Canada and told by this minister, "Go to Japan if you want to be a teacher." This is not what education should be all about in Ontario. We should be bringing in young people and we should be giving them the opportunity to help young children and adult learners be better suited for the workplace.

I support the desire for better quality, and we certainly need to do something about young people being turned away.

The Acting Speaker: The member's time has expired. The member for Ottawa Centre, you may sum up.

Mr Patten: I appreciate the comments the other members have made. The reference to young teachers seems to be an important issue. In relation to this office, I look forward to an independent point of view based on professionalism, based on research, based on the gathering of information that will hold us in good stead in terms of the basis on which we can move forward with our curriculum in the future.

I'm confident, based on what I've seen, that the staff and board members I have met have impressed me most strongly in terms of quality of commitment, their enthusiasm, their attentiveness, as I have observed at the hearings, daily attendance and their willingness to visit and talk to anyone who has a point of view on this particular subject.

I look forward to further opportunities to talk and learn and address some of the areas and especially to see if we can deal with an evaluation of grade 11 at the earliest possible time. I think that would hold us in good stead. I thank the other members for some of their comments as well.

Mr Bud Wildman (Algoma): Thank you, Madam Speaker. It's a pleasure to participate in this debate under your competent direction of the House.

I want to say at the outset that our caucus, the Democratic Party, is in favour of the legislation, that we voted for it at second reading. As has been said by my friend the member for Wentworth North, when we were in government we initiated the work that led to the legislation being introduced and passed in this House. My colleague from Windsor-Riverside was central to that process, and I congratulate him and Ms Green and her staff for the work that has been done to bring us to this point, where we can now see the office coming into effect. I look forward to their work.

All of us recognize the importance of evaluation, the importance for students, for parents, for teachers and for the community to know where we are doing well, where there could be improvement and to determine how we might be able to work together to achieve improvement, what changes might be made, what innovations might be considered, to ensure that we are able to provide our

students with every opportunity to achieve and meet their greatest potential as individuals and members of society.

We support this legislation, so you might expect there would be little for us to say unless we want to get into a mutual admiration society, which is not usually the case in this House, but I must say I have a lot of concerns, not about the office or the legislation that is before us, but concerns that have been expressed by myself earlier on a number of occasions.

What really raises them in my mind again today is the question that was raised in question period today, I suspect at the behest of the minister, when the member for Durham East got up and asked what perhaps was a spontaneous question, although it was a little odd that his prepared supplementary question included part of the minister's answer; it sounded to me like they might have colluded in the process. I'm sure that wasn't the case but I'll explain what makes me concerned about that question.

I don't have the verbatim words because the member, who obviously got the written question from the minister, didn't share it with me. I'll have to wait for Hansard to see exactly what he said. As I recall it, he indicated that he wanted to know where we were at with the establishment of the office for evaluation and accountability, because many parents, I think he said, in his constituency wanted to be able to compare how things were going in their school with other schools. This harks back to a very important issue that I've raised and other members have raised during the debate and the discussion around the establishment of this office.

1620

Surely our intent is not to put ourselves into the box of comparing one school to another within a system, or one school in one board to a school in another board. That is not what this is about. What it is about is being able to evaluate how the Ontario public education system is doing in preparing students for life. Surely it is about evaluating how successful the education system is in developing skills that can be tested and determining how those skills should be tested and then being able to evaluate our success.

That is what this is about. It's not about comparing one classroom to another, one school to another, one board to another across Ontario. That is what the press likes to do with these reports. Frankly, in the true sense of the word, without any additional connotations, that is an abuse of a true evaluation and accountability system. It is not the proper use of the information that we should be getting when we test students.

I think there's always a temptation to do that, but what really concerns me is that we would have a member of the party that supports the government in this House get up and ask what was obviously a question prepared for him by somebody in the minister's office or in the ministry which demonstrates a misunderstanding of what we're doing here. I have no problem with the minister wanting a backbencher to ask him a question. That's fine. I have no problem with that. But surely such a question should demonstrate what the government really is about. If this question demonstrates what the government is about in establishing this office, then Ms Green and her staff have got a lot of problems ahead of them.

If the question — and I perhaps shouldn't impute motives; I know that's against the rules — was truly a spontaneous question from the member for Durham East, then surely the member for Durham East does misunderstand what is happening and what is proposed. If that's the case, then surely in his response the minister should have clarified the purpose of the legislation, but the minister didn't. So I'm worried, because when we in this caucus support this legislation it's not to enable somebody in Durham East to compare one school to another. That's not what this is about. So I hope that at some point during this debate we can have that clarified.

I also want to raise some concerns about the context in which we are passing this legislation. I am particularly concerned that the previous government established a number of levels during a student's school career when the student would be tested. This government has cut back on that for financial reasons. To save funds, the government is saying they won't be testing as often as the previous government intended.

I'm not necessarily wedded just to one number of tests or period of general tests across the system. But if there is a reason for changing, either decreasing or increasing, the number of times when we test, surely the reason should be pedagogical, it should be based on the proper ways to evaluate and theory about evaluation, not just fiscal considerations, not simply saving money.

It's a cliché, I suppose, to say that our youth is too important for us to be making decisions simply on the basis of saving money, but I really do believe it. So if I'm accused of believing in a cliché, I guess I do.

Then there's the wider context of what is happening in education today. It is truly ironic, and other members have commented on this, that we are passing this legislation at the time when we have a government in place that is exerting the most serious attack on public education in Ontario that we have ever experienced in the post-war period. Under previous Conservative regimes, education was the most important — going back to the Leslie Frost period when I think the Ministry of Highways was the largest portion of the budget at that time. Subsequent to that, under Robarts and Davis, education was the top level of expenditure of the provincial government. It exceeded health care. Of course, when we brought in the health care system, the medicare system, that changed. But under Bill Davis and then subsequent governments, Liberal and NDP, education has remained one of the largest portions of the budget that any government has had.

I know you don't necessarily measure importance simply on the size of expenditure, but this is a government, the first government in 40 years, that has decided it is going to take, holus-bolus, across the board, millions of dollars out of the education system and the chips can fall where they may. The party that was elected on June 8 said they were going to make savings in education, they were going to make cuts in education, so I'm not arguing that they shouldn't be doing this. They got elected on the basis they were going to make cuts.

But the second thing they said in their promise about education in the election campaign was that the cuts would not affect the classroom. They said in their so-

called Common Sense Revolution document that the classroom would be exempt from cuts, and yet the minister has announced \$400 million to come out of education in one year. Annualized, he admits that means \$800 million towards \$1 billion in one year. Everybody involved in education, with an interest in education in Ontario, understands that nobody can take that kind of money out of education in one year and not affect the classroom. It is impossible.

We get these silly, silly comments about 2%, that \$400 million is 2% of the total amount spent by the provincial government and boards. It's true. It is 2% to 3%, but it is over 16% of the general legislative grants, and anybody who represents a rural riding in this province or a northern Ontario riding in particular, or separate school boards, will understand that assessment-poor boards are dependent on those general legislative grants in order to be able to provide any kind of equity in education in this province.

The problem we have is that we have an argument — and the minister and his parliamentary assistant have both agreed that this is the problem — in this province among boards, between boards and the provincial government, the ministry and within this assembly about how we define what is classroom expenditure and what is administrative expenditure. I agree with my friend the member for Wentworth North, we do need some basic figures that everybody agrees upon so we can have a legitimate discussion about this issue. But unfortunately, at this point, we don't. Perhaps, when we go through education finance reform, we may come up with one; I hope at least we achieve that.

1630

The problem we've got is that we have a government that is dependent on its report by John Sweeney which said that 47% of boards' expenditures take place outside the classroom. And the government says, "Well, 47% is outside the classroom and we're only taking a total of 2% to 3% out of the total expenditure, so surely any board should be able to make those kinds of savings outside of the classroom." It's such a silly argument because John Sweeney included prep time, he included vice-principals, principals, special-ed teachers, special assistants. All those things are outside the classroom, as if giving a student extra help who needs extra help is outside the classroom.

If you want to put everything, including the kitchen sink, into it and say that's outside the classroom, well, sure, you can come up with a big figure, but what does it mean for the value and equity in education? What does it mean for the value of the education of our kids? I'm worried.

Other members have pointed out what is happening. We're seeing, as a result of this, that boards are laying off unprecedented numbers of teachers. That usually means that the youngest teachers go because we don't as yet have any kind of agreement on an early retirement plan. What does that mean for the quality of education? We need a mix in our education system of experienced teachers and newer teachers who have enthusiasm and new ideas to benefit the system. If we have all of the younger teachers shut out, that hurts the system.

With more teachers being laid off, we're going to see attempts by boards to negotiate or to establish larger class sizes. More kids in the classroom doesn't necessarily mean poorer quality education, I agree, but if it also means that you're having more students in a classroom at the same time you're trying to integrate kids who have special needs and you don't provide the special-needs assistance, it's going to be very difficult for the teacher to meet the needs of the individual kids. I hope this office will be able to start to evaluate that kind of an effect on education.

We've seen at least 26 boards eliminate junior kindergarten even though the minister himself admits that all of the studies indicate that a good early childhood education program will benefit every student, not just students in disadvantaged backgrounds, but it certainly will benefit them. It will benefit every student throughout her or his educational career and even later on in life. More graduate, fewer drop out, more get into post-secondary education programs, more graduate from them, more get good jobs, fewer have unwanted pregnancies, fewer get involved with crime, fewer drop out. The studies all indicate that.

So what do we have? We have a government that when it was in opposition ran on making junior kindergarten optional and said, "Okay, we're going to make it an option," but at the same time they make it an option, they take \$400 million out and they change the formula for funding junior kindergarten. So it's not really an option for a lot of boards. For those few boards in isolate communities in northern Ontario that might be able to continue the program without increasing taxes, because most isolate boards get most of their money from the provincial government, the Ministry of Education tells them, "Well, if you're going to continue junior kindergarten, you've got to increase your taxes by 5%." This is a government that says it's interested in the quality of education and puts this bill before the House.

We've seen the decimation of adult education programs forcing adults into continuing education programs despite all of the evidence that the legislative committee had from teachers and students that good-quality adult education programs were helping adults who had dropped out of school to get back into the education system, to go on to post-secondary education or on to the workplace and be productive.

This is also being brought before the House in the context of future plans that this government has for education. Not only are they taking money out and predicting they're going to take more money out next year; they're talking about charter schools and privatization.

Some people would say: "Why not charter schools? It's been tried in the United States; it's being tried in Alberta. Maybe that's a good idea as a way of improving the quality of education for some students." Well, most charter school programs that have been proposed are simply a way of providing private education at public expense, a way of keeping disadvantaged kids out of a school and avoiding people from other neighbourhoods coming into a school. We have seen these kinds of things

in the United States, and they are not healthy for education and for society.

We have also seen the experiments in the United States on privatization, and they're abject failures. There, where testing was done, the test results had to be fudged because the students did so poorly. When that was discovered and when it was also discovered that it was actually costing the taxpayers more money, not less, with poorer-quality education, the experiments were discontinued.

Hopefully, this office will be able to guard against that kind of thing as this government goes on hell-bent with its changes, its so-called reforms in education, and through testing and proper evaluation can provide us with some warnings when we aren't going in the right direction and give us some signals as to which directions we should be headed in. I hope so.

But I do find it ironic that we would be bringing this legislation before the House at a time when the government is decimating education programs in this province.

I do admit I have some bias here. I'm a former educator. My wife is a teacher.

Mr Marcel Beaubien (Lambton): It's a conflict.

Mr Wildman: You will argue that it's a conflict. I suppose most of us have a conflict because we are parents; I'm a parent. But I think all of us are elected because we care about our communities and to deal with matters on education because we care about kids and the future of our society.

Whether we are former trustees or former teachers or people who haven't been involved in the education system at all, most of us are parents and most of us have come into contact with the education system through that process as well as our own academic careers.

All of us have concerns about the need for reform in education. Some of those may lead to more efficiencies and greater savings. Hopefully, they will also make the system more accountable to the people, to the students and to the community. I hope that in passing this legislation we're not setting up an office that will not be able to do what it was intended to do when it was first conceived.

I call on the government to increase the funding that is required for the proper evaluation and testing, to meet the commitments that were originally proposed by the previous government and most of all I urge the members of the Conservative Party in this House not to just take the numbers that have been thrown out there and repeat them over and over again about 2% to 3%, administrative expenditures, out-of-classroom expenditures, exempting the classroom, without actually testing them themselves.

Go into the schools, find out what's happening in your own communities in your schools, find out if class sizes are being increased, find out if kids with special needs are going to have more difficulty getting those needs met. Find out before you vote on some of the bills that are before us.

1640

The Acting Speaker: Questions or comments?

Mr David Tilson (Dufferin-Peel): I want to make a couple of comments on what the member was saying as to why these tests are taking place.

Quite frankly, I believe that parents, teachers and educators all want to make sure that we have an equal quality of education around this province, that the education in Sault Ste Marie is going to be the same as the education in Kingston; pick any number of cities, any number of schools within a jurisdiction.

Over the last number of years there's been a fear that perhaps there isn't an equal quality of education around this province. That's why, generally speaking, most of us in this House — I hope all of us in this House — will support the philosophy of this bill, which will determine whether the education in one area or one school is different from another. One school may have a higher quality for whatever reason. Both schools may be of high quality, but one may be higher than another.

Quite frankly, I was concerned with some of the comments that were being made by the member as to the reason why this testing is being promoted. Certainly I hope it will help us understand the quality of education in this province and, to use the minister's words in answering a question this afternoon, how students measure up.

I think it's very important for us to know, as parents, as taxpayers, as citizens, as legislators, how students do measure up. One way, and there may be others, is to test our students to determine how they're doing from school to school. I hope the member clarifies that in his two-minute response as to what he meant in his comments.

Mr Patten: I don't disagree with anything the member for Algoma said. I know he has a strong background in this area and a great interest and has participated in this throughout the committee hearings as well. There was a wide-ranging variety of points he did make; I'd like to touch on two.

I concur of course with the context in which this bill is put in, but I would like to address the issue of the cutback of the program from what was originally proposed, and that would be the testing for grade 9.

Any of you who are young enough to hear the Bare-naked Ladies, it's me here in grade 9 and what that means. Grade 9 is a very interesting period of time for young people. It is usually a time of maturity and teenagers going through puberty, engaging with the opposite sex. In terms of their relationships, they're learning how to cope with new visions, new feelings etc.

It seems to me that especially that period of tumultuous late adolescence and early teenage years is a special time that needs to not be forgotten. When we go from grade 6 to grade 11, there are a lot of important years in there, a lot of things happening, and I know that given the quality of the people in the office, they will find a way to strengthen the capacity. While it may simply be sample testing at the beginning, the evaluation of the whole measurement system will hopefully confirm that and that that will be strengthened as time goes on.

Mr Rosario Marchese (Fort York): I stand to support the comments made by my colleague the member for Algoma and make some remarks around the particular bill, briefly, and around other things the member for Algoma has said.

We support the bill with respect to the establishment of the Education Quality and Accountability Office, in

particular as it relates to the evaluation of the effectiveness of elementary and secondary school education and assessing the academic achievement of elementary and secondary school pupils. Nobody has disputed that, but the member for Algoma has touched on many other important things as well.

We're happy that at least this government has decided not to dismantle Bill 30 in its entirety or to touch it whatsoever. We think that's an achievement they can allude to in the future by saying, "We have done something." We at least give them credit for keeping that. But as they have done that, and we look at everything else, much of what they are doing is to destroy, in my view, much of what we value in education.

When you take approximately \$1 billion away from education, it's going to hurt. It hurts because what boards need to do to deal with the cuts is fire teachers, and firing teachers of course adds to the unemployment crisis we've got. It increases class sizes, which makes it more difficult for the teacher to teach the student. Eliminating JK — and believe it or not, you have done that, not boards of education, because when you don't give them the money to do it, it means the boards will not be able to afford that. You're dealing with a problem here. You have said to the teachers and to those students that you're not interested in establishing equity and equality for all students, because we know they don't come equal into the educational system. JK would have helped with that.

When you say that 47% of those costs are non-educational, you need to understand what you're talking about, because I don't think you know what you're talking about.

Mrs Julia Munro (Durham-York): It is a pleasure to speak to this bill. Other members have recognized the importance of this bill. We're talking about accountability and equity as well as mobility. Being able to move from one place in the province to another and expect to have the same kind of program in place is something I think all Ontario parents and their children deserve.

I'd also like to comment on the fact that in this province we have thousands of excellent teachers who have provided programs for the children. One of the opportunities that this provides is to use the resources and programs teachers have, to take advantage of their expertise in providing this program and the kind of testing we have here today.

The Acting Speaker: The member for Algoma, would you like to sum up?

Mr Wildman: I want to thank members for their comments and their attention. I'll quickly try to respond. I think the member from Dufferin-Peel essentially raised the issue again that I was trying to respond to in response to the member for Durham East's question at the beginning of my remarks. We want to know how students measure up, but we've got to ensure that when we are comparing we are not comparing apples with oranges. We have to ensure that when we are saying that Ontario students are doing this well as compared to students from other provinces, we are comparing the same kinds of students. We're not doing as is sometimes done in other jurisdictions, foreign jurisdictions, where they don't

include all of the students, they only include some. We want to ensure that we're properly measuring. That's what I was referring to. I don't think it's very helpful if we are looking at just one school as opposed to another because we may be dealing with different kinds of students. It's better to perhaps look at the overall picture and say: "All right. Are we serving students from this background well across the province or are we not?" That's what I was referring to.

1650

The member for Ottawa Centre talked about the period of raging hormones and the need to have proper evaluation of students at the grade 9 level considering all of the pressures that they are facing. I agree with that. I don't think we should be jumping from grade 6 to grade 11 without proper testing, and we certainly shouldn't be doing that simply for fiscal reasons.

I again emphasize to the member for Durham-York that we can only use teachers' expertise if those teachers are actually teaching, and it's unfortunate that so many of them are being laid off. We can only use the expertise of special education teachers if they're teaching rather than being laid off and the special needs of students are not being met.

The Acting Speaker: Further debate?

Mr Bradley: I will make a couple of remarks on this bill. I had a chance to do it for two minutes, but I'll take a few more minutes. I won't take half an hour on this.

Mr Tilson: Take 30.

Mr Bradley: I was invited by the member for Dufferin-Peel to take 30, so I'll try not to do that.

I simply want to touch on what the preoccupation is with this bill. There's obviously going to be a consensus that the bill is going to pass this afternoon, as are a number of other bills. The government whip nods as I say that.

Some issues that I thought would be addressed in this bill were not addressed, and those issues include the loss of classroom teachers. While some kind of reference to accountability and so on and an appropriate kind of testing for diagnostic purposes for the system and to assist students was probably in the platform of the government, as it was in the platform of the previous government and probably in the platform of the Liberal Party, there were a number of other components I thought would have appeared in this bill.

One of the concerns I have been expressed this afternoon — the number of classroom teachers we are losing, the number of front-line workers, because I remember hearing during the campaign that there would be no effect on the classroom of any cuts that were made. Yet I see hundreds of teachers, teachers' assistants and others in the education system across the province who are being turfed out the door as the result of drastic cutbacks in the funding of education by the provincial government. Most of them would say to you that they would understand that there has to be some trimming to be done and efficiencies to be brought about. That's fine; most people would agree with that, even some of those who are affected.

They're concerned about how quickly the government is moving, how drastically the government is moving and

the fact that it's moving to meet the tax cut: In other words, the tax cut is —

Mr Beaubien: Did you get yours, Jim?

Mr Bradley: I was asked if I had mine. I don't know if I have a tax cut yet. I would prefer to not have had it. I would prefer to have people who are in the classroom teaching our children and I would prefer to have health care services in the province, to give the opportunity for everyone to participate in that way.

Mr Garry J. Guzzo (Ottawa-Rideau): Give it back, Jim.

Mr Bradley: I hadn't heard that the president of the bank was giving back his multi-thousand-dollar tax break that would be forthcoming, or that others in that high income bracket who will benefit the most, the people who attend your fund-raisers over there —

Mr Beaubien: I thought you were talking about education, Jim.

Mr Bradley: I was trying to talk about education. The member for Lambton asked if I was talking about education. I was interrupted by the member for Ottawa-Rideau and I felt that I could not let his remarks get on the record without making some response to them.

I would prefer that you not hand this tax cut back until such time as you have the budget balanced so that you don't have to borrow some additional \$13 billion to give me and others in the province money back. I would prefer that you keep the money, address the deficit problems, keep the quality of services we have in this province until such time as the budget is balanced, and then if you wish to proceed with a tax cut at that time that would be an initiative you could look at.

I look around and I know, particularly with the difficulties that many students face in the social milieu in which we live today, those students face different circumstances and the teachers who must deal with the problems in the classroom, deal with them in new circumstances. Far more social problems have to be addressed today than when most members of this Legislature went to school. Unfortunately, many of our vintage think of school as it was when we were in school, as opposed to the reality we face today.

There are more students who require the assistance of special education. I wish it were not so; it is so. We have integrated into the regular classroom now students who are challenged mentally and physically, students who were segregated in years gone by, some institutionalized in years gone by, who are now part of the regular classroom. But that requires some additional assistance by teacher assistants in that classroom and when the government cuts its funding, that disappears and the teacher then has to contend with students who have far more problems than the teacher can deal with, while dealing with the rest of the classroom.

I look at the disappearance of grade 13. I've always thought that our students in our province — and I was proud of this — I think it was the Robarts plan, then the Davis plan, that we had a grade 13 because our students seemed to be better prepared going into university than those in other provinces. The opportunity's still there, the option is still there even today for those students who are

able to do so or who wish to do so to proceed through in four years. For others, the five-year requirement was certainly realistic — the OACs, as they called them, the academic credits. I think many of those people will miss that opportunity.

I lament the freeze on capital; for people who watch this, that means on the building programs that take place. I'm not saying we have to build all kinds of new schools, though Heaven knows some of the developments that you're allowing, particularly under your changes to the planning legislation, are going to bring about a need for far more schools. I have got my letter again from the people in Beamsville who now need an expanded school. Why do they need an expanded school? Because we're allowing subdivisions in Beamsville, which is a little, rural town, for people who live in Toronto so they can have cheaper housing and simply use Beamsville as a bedroom community.

That has happened and every time you change your legislation to allow for more urban sprawl, the pressure is going to be on the Minister of Education to provide more capital for more schools. In some cases it's justified; in other cases there are other solutions that could be found.

We have adult education. I have been in those adult education classes. I know the people who are there are often at a disadvantage from others. They are older people, they're not the young people coming through the system. Some of them have been able to get back into the workforce — a good many of them, in fact — because of the upgrading of their skills, upgrading of their education or the re-education or reskilling that takes place within that milieu.

I see cutbacks in that area and I know that means more people are going to be left out of that workforce, or at least unable to compete as others might. There's a game as a child we all remember called Pin the Tail on the Donkey. The donkey in this case is at Queen's Park, as opposed to the individuals within the school system.

What you've succeeded in doing — and again, it gets back to the theme I mentioned earlier of intimidation — is you've got the people in favour of junior kindergarten fighting with the people in favour of secondary education or adult education, you've got the teachers fighting with the boards of education, you've got the boards of education fighting with the boards of education, you've got the parents fighting with the trustees, all over the level of funding and the services that could be provided when in fact the blame lies here at Queen's Park in Toronto with the Minister of Education and the government of Ontario. Instead, we have dissent and argumentative discussion taking place at the local level and the blame is placed on the trustees when they cannot provide those services.

I was disappointed this bill didn't deal with that, but it didn't deal with it. It dealt instead with another matter related to testing and, as I mentioned previously in a two-minute remark period, I think the advantage we have now is that we have taken more time to deal with this legislation and though it may not be to the liking of everyone, it is a better piece of legislation as a result of the committee work, as a result of the debate, as a result of the consultation, than it might otherwise have been.

1700

The Acting Speaker (Mr Derwyn Shea): Questions or comments?

Mr Colle: Hearing the member for St Catharines brought to mind this weekend the importance of teachers, and sometimes we forget because we're looking at the bottom line and the contributions they make. This Sunday — the member for St Andrew-St Patrick was there — was the 75th anniversary of Holy Rosary school. There was a very interesting former principal, Sister Enid Selke. She's the daughter of the famous Frank Selke, the founder of the modern Montreal Canadiens hockey team. Sister Enid, the former principal, is in her mature years and is still contributing to the youth of this province. She is now, as a senior citizen, working out of Kapuskasing in northern Ontario, reaching out to youth and young people. There is that dedication of these teachers we shouldn't forget.

In terms of what the member said about our schools needing some support, they're not perfect, but they prepare a lot of students well for university. In my own case this weekend, I was fortunate enough to have my son graduate from McGill. He's a product of the Ontario school system and he matched up, despite his father's line, with students from right across North America. Also, in terms of our high schools, I was very lucky to have my daughter accepted to the Ontario College of Art just yesterday. The high school system in Metropolitan Toronto prepared her well for that.

The point is that the school systems we have here in Ontario are certainly in need of support and of improvement, and perhaps this bill will help to do that, but we can't forget that we still have a pretty decent school system, whether it be at the elementary, the secondary or the university level. Let's not lose sight of that as we go through this exercise.

Mr Marchese: I know that the member for St Catharines supports Bill 30 and has spoken in support of its intent, but he has raised other concerns that I support as well. Part of that is to articulate to some members on the other side that there aren't 47% of costs that are non-educational. There is no such thing.

In the Toronto board, where I was a trustee for eight years, 78% of our budget is for teachers' salaries, which clearly leaves 22% for so many other things we do that very much connect to the classroom. I am convinced that when the other members hear that educational assistants are part of that budget, they will say we need them because they support the special-education teacher and so many other teachers in the classroom where they assist teachers in doing their jobs more effectively. I am convinced that they wouldn't say: "It's tough luck. We simply have to fire more educational assistants." I am convinced that they wouldn't argue that social workers are there, yes, but they are not teachers and they are not important, that once you tell them the social workers contribute to the education of those children and make it possible for teachers and students to have a better understanding of how we're solving those problems, they would say, "Surely we can't cut there."

That's what we're talking about. We're talking about cutting in areas where educational assistants, social

workers, inner-city programs that we provide are there to help the regular classroom teacher and that they make an important contribution towards the education of that student. They can't go on for too long saying that the system in Ontario is fat and we need to continue to cut, because you're cutting in those areas where they make an important contribution towards the classroom teacher and that student.

Mr Tilson: Just a few comments with respect to what the member for St Catharines has said as to cuts, and the debate here has gone a long way from where we originally started off, which had to do with the Education Quality and Accountability Office and what it intends to do to improve education in this province.

Whatever we're doing in this province, this government, the past government, the Liberal government, there have been some problems in the past, and the public is clearly concerned as to the direction we're going in: many of the initiatives of the Minister of Education that I hope you will support. You're supporting this one; at least you say you are.

With respect to the cuts that are being made by school boards — some have announced the pink slips and then withdrawn them — in most school boards across this province, at least in my riding, the cuts are 2%, and under 2% in the north part of my riding. I cannot understand why a school board can't reduce its administration by under 2%. We're talking about delivering a service. The Peel board actually was going to get rid of busing. People in Caledon got all up in arms, and fortunately they changed their mind; people really had no way of getting their children to schools, and they were going to do away with busing. They said: "Oh, let the municipality look after busing. We're not going to look after it any more."

Some decisions that are being made by the school boards certainly give us in government a lot of concern. We're concerned about the quality of education in the classroom, and the promises we made during the last election have not changed one iota. We intend to protect education in the classroom and reduce, in fact eliminate, the waste that's going on around the outside.

Mrs Sandra Pupatello (Windsor-Sandwich): It's my pleasure to comment on the speech given by the member for St Catharines. I support all the comments he made.

I have to comment, though, on the priority level that's set by this government, where education is concerned, and I'd like the minister to pay particular attention to Sacred Heart school in LaSalle. This is a school that I tend to mention often because it's a predicament of most schools across Ontario that are seeing an increased level of portables. Where exactly is the minister's priority? He spends much time bringing forward bills, and some of them certainly good things, but very basic necessity is being neglected. It's like Maslow's hierarchy. You have to meet very basic needs in education before you can even think of moving yourself up the hierarchy.

I've got to tell the minister, while I've written to him, while I await his response, I had the opportunity to meet with Mr Joe Carty, the principal of Sacred Heart, over the weekend, and I was pleased to have an opportunity to

take some photos, which I will send over to the minister, to show him the holes in the floor, the holes in the wall, the water damage in this particular portable, the ceiling stains from water leaking through the trailer. To think that children are being educated in this kind of environment. Frankly, the director of the Essex county Catholic board, Mr Ron Reddam, is doing the very best he can to serve the needs of children, but ultimately a moratorium on capital expense in some high-growth areas is simply unacceptable. I need to drive the point home with the minister.

I would appreciate that he take a look, revisit the priorities he sets in education. Very basic needs for children, and their school needs, across Ontario are simply not being met by this overuse of portables and in many cases the poor condition of portables.

Mr Bradley: I appreciate the input from each of the members. I was a bit surprised that none of them mentioned what is happening to those schools that serve the disabled individuals in our province. These are schools such as the Niagara Peninsula Children's Centre. At this time the Niagara Peninsula Children's Centre is under the threat of losing its present state of governance.

Its present state of governance allows it to have a special board of education for these children, many of whom have multiple disabilities and are educated in a school called the Niagara Peninsula Children's Centre. They are brought from all around the Niagara Peninsula to this school to be appropriately served.

I know that regardless of what recommendations will be brought forward by anyone, since this government ultimately has the decision-making within its own hands, it will resist any temptation to change the governance of those schools because ultimately it's the children themselves and how they're served that is most important. While this bill does not deal with that, I hope that among the items to be dealt with in this House is an assurance coming from the Minister of Education that the Niagara Peninsula Children's Centre and other schools — there are a few of that kind in the province — would not have their governance changed, because what is in place now is serving those children so very well.

I know that the word "conservative" suggests that one would preserve that which is best for the future, that which has served us well in the past, and I implore the government, through these few words, to maintain the present governance at the Niagara Peninsula Children's Centre.

The Acting Speaker: Further debate?

Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion. Agreed? Agreed.

1710

ONTARIO COLLEGE OF TEACHERS ACT, 1995

LOI DE 1995

SUR L'ORDRE DES ENSEIGNANTES ET DES ENSEIGNANTS DE L'ONTARIO

Mr Snobelen moved third reading of the following bill:
Bill 31, An Act to establish the Ontario College of

Teachers and to make related amendments to certain statutes / *Projet de loi 31, Loi créant l'Ordre des enseignantes et des enseignants de l'Ontario et apportant des modifications connexes à certaines lois.*

Hon John Snobelen (Minister of Education and Training): I rise today to speak on Bill 31, an Act to establish the Ontario College of Teachers. Bill 31, now in front of us for third reading, speaks to the public's request for professional accountability and quality in our education system. It is part of this government's strategy to provide Ontario students with a professional, accountable, effective and high-quality education system. The Ontario College of Teachers will allow the teaching profession to become self-governing and self-regulating, with significant public accountability.

With this legislation, teachers will finally be able to join their contemporaries in 31 other professions with a professional college that recognizes that teaching is an important public trust. There's a long history of discussion and attempts by previous governments of this House to establish —

Mr Peter Kormos (Welland-Thorold): He doesn't recognize that teachers are important.

The Acting Speaker (Mr Derwyn Shea): The member for Welland-Thorold, I would ask you to be a little more in order.

Hon Mr Snobelen: It's fine, Mr Speaker. Thank you for the interruption, but empty vessels make a lot of noise and I'm somewhat used to that, having sat here for this time now.

There's a long history of discussion and attempts by previous governments of this House to establish similar bodies. I note the Liberal red book endorsement of a college of teachers and I acknowledge —

Interjection.

Hon Mr Snobelen: The member opposite might want to be quiet just for a moment while I say this, perhaps. I'd like to acknowledge the member for Windsor-Riverside for his initiation of the college. I'm sure he'll be glad that his colleagues spoke out during the time of his acknowledgement here in the House.

During the hearings on the Ontario College of Teachers Act, the committee heard from several groups about the positive results of similar colleges in British Columbia and Scotland, in particular the improvements that were generated in teacher education programs. We heard strong support from parents, trustees and other groups for the public representation and accountability measure in the bill. A number of amendments to Bill 31 which improve the legislation were approved in the standing committee.

There will now be a fitness to practice committee, separate from the discipline committee, to deal with members suffering from a physical or mental condition or disorder which may cause incapacity to practice. We recognize that it's fairer to individual teachers if we separate the disciplinary function which applies to professional misconduct and incompetence from situations where a teacher suffers from a physical or mental condition.

It is now clear in the bill that elected members of the college will form the majority on the executive committee —

Mr Kormos: What does he say to teachers in Niagara? He has seen their pink slips. No classrooms.

Hon Mr Snobelen: — registration committee, investigation committee, discipline committee and fitness to practice committee. Although the college will be permitted —

Mr David Tilson (Dufferin-Peel): On a point of order, Mr Speaker: The member for Welland-Thorold is completely out of control.

Mr Gilles Pouliot (Lake Nipigon): That's his job, not yours. Sit down.

Mr Tilson: I'm saying I'm sitting two seats over and I can't hear because of the comments, his shouting continuously throughout his speech. I quite frankly feel that he should be warned.

Mr Kormos: This government isn't fighting for better education.

Mr Tilson: He won't even allow me to continue on my point of order.

The Acting Speaker: I thank the member for his intervention. I have asked the member for Welland-Thorold to exercise more personal discipline in the House. I think he is attempting to, and I'll allow the debate to continue.

Mr Terence H. Young (Halton Centre): On a point of order, Mr Speaker: I'm using my earphone, and I still can't hear the minister speak, due to the ruckus from the member for Welland-Thorold.

The Acting Speaker: Minister, please continue.

Hon Mr Snobelen: If I can be permitted a bit of an aside, a moment or two ago the member for Welland-Thorold quit for just a moment blathering on, and the silence distracted me. I will go forward now.

Although the college will be permitted to collect the information it requires to fulfil its mandate, privacy considerations will be respected. The legislation includes penalty for breach of confidentiality.

I would like to express appreciation to all involved for their suggestions. In particular, I'd like to thank my parliamentary assistant Toni Skarica and all other members of the House who participated in the standing committee on social development hearings. I am confident that the best possible legislation has come out of this process.

With this initiative, teachers, parents and students will know what standards of performance to expect and whether they are being met. At last Ontario's teachers will have a professional, self-regulatory governing body. It's a milestone for —

Mr Kormos: You are gutting education in this province.

The Speaker (Hon Allan K. McLean): Order. The member for Welland-Thorold will come to order. There will be an opportunity for him to speak when all will listen, I would hope. Minister.

Hon Mr Snobelen: I'm sure that all the people of Ontario will look forward to hearing the member for Welland-Thorold speak.

This is a milestone —

Mr Kormos: No one wants this guy.

Hon Mr Snobelen: Mr Speaker, it's difficult to include these remarks with the member for Welland-Thorold being so out of order.

The Speaker: The member for Welland-Thorold will not be warned again to keep order. Minister.

Hon Mr Snobelen: Thank you again, Mr Speaker.

Mr Kormos: How am I going to explain this to —

The Speaker: Order. I will ask the member for Welland-Thorold — I will have to name the member — if he would please leave the chamber. Sergeant at Arms.

Mr Rosario Marchese (Fort York): The minister creates a crisis —

Interjection.

Mr Marchese: The crisis is over there.

The Speaker: The member for Fort York will come to order.

Mr Kormos was escorted from the chamber.

Hon Mr Snobelen: I hope that the theatrics we've just witnessed in this House don't diminish in any way the milestone that has been reached with this bill in accepting teachers as a professional body in the province of Ontario. I think it's important to people in the teaching profession, it's important to parents and most particularly it's important to students. It is my pleasure to bring this to third reading today.

The Speaker: Any comments or questions? Further debate.

Mr Richard Patten (Ottawa Centre): I appreciate the opportunity to speak on this bill, the revised version, which the House is of course now considering. I would like to say at the outset that I believe the representations we had at the hearings, although the hearings were limited in time and mobility to a degree, I honestly think we were able to receive a substantial amount of valuable advice on the makeup of this College of Teachers.

I regret, on a personal basis, that the revised bill which we have before us fails to measure up to the many excellent and honest recommendations put forward by those who appeared before the committee. Unfortunately, Bill 31 still reflects, in my opinion, the adversarial approach which this government's grand planners have towards the teaching profession. It continues in the spirit of us versus them, and I regret that. There's a certain mentality that's at work in resisting certain recommendations, so it makes little room for consensus building, or what I would call the opportunity for good partnership building.

1720

I continue to support the principle and the concept of a College of Teachers, a college which in its fullest sense would be a self-regulating body that will enhance the teaching profession and the quality of education for our children through partnerships, cooperation and trust. I do not support a model which moves from an adversarial basis and is built somewhat on a lack of trust, and that is what this bill offers us.

I recognize that it is inevitable that Ontario will have a College of Teachers. In fact, that has been widely accepted. Many of the teachers' federations and affiliates presented to the committee with that as an underlying reality, choosing to offer recommendations on how to improve upon the final model. However, it is unfortunate that as a result of its large majority, the government will pass whatever version of a College of Teachers that it wishes. It has the voting power to do that, without any

regard to the tone that it is establishing in this fledgling college proposal.

My comments today will not be long. I have made my views known during both second reading and the committee. I simply want to comment on what I believe to be the failure that is exemplified in this proposal and the failure of the government side to use the committee hearing as a vehicle to make significant progress in establishing a College of Teachers that had the support of all interested parties, and I refer specifically to the teachers, but I would like to make reference to three issues: (1) the representation on the governing council; (2) the aboriginal representation; and (3) the protection of privacy.

One of the overriding concerns of teachers with regard to this particular model, and I share that view, is the composition of the governing council of the college itself, for it seems to me that if the college is truly to be a self-regulating body for the profession of teaching — and we are talking about the teaching of elementary and secondary school students here — it should go without saying that teachers who are practising in the classroom or teaching in the classroom should have a majority of the seats around the table at the council.

It seems simple enough, and of course we should have other interested parties represented. Representation, I agree, should not be exclusive to the teachers themselves, but I must share with you that I was disappointed by the adversarial approach taken by some — and I will say not all of the government members — in terms of a number of members from the government side who made representation on the committee in terms of the issue of representation, and I come at this from the vantage point of trust.

I would, however, like to point out that I thought that there was an excellent intervention by the member for Etobicoke West. I frankly admired his courage and his strength of conviction in coming to the committee to share his views on the representation issue. I'd like to read part of what he had to say, and I direct this in particular to the members on the government side. The member was speaking to an amendment before the committee which I had made which would have ensured that classroom teachers had a clear majority on the council. The member for Etobicoke West said:

"We will be showing that we will trust their judgement and will vest with them that judgement. We always have the opportunity to say: 'Listen, you screwed up. You messed up. You didn't handle this responsibility well and we're going to take it back.' But until they prove that, I'm not prepared to say you're not competent enough to govern your profession in the same way that other professionals govern theirs."

The similar point was made by the member for Wellington, whom I also appreciated for his insights and his forethought. He spoke in the House on that issue at second reading and he also came to the committee and presented his views. Unfortunately, their views fell on deaf ears among the government representatives on the committee; at least, they did not indicate a willingness to seriously consider these views, even though they came from all sides of the House.

An additional question of worry, I suppose, related to the representation on the council, which was enunciated several times. One of the arguments was that the federations would hijack the work of the college if practising teachers were in a majority. I think that was unfortunate. It was pointed out that this was a big concern. We had a teleconference arrangement with a couple of board members and the executive director of the BC teachers' federation, and we asked them that question. They said unequivocally that, yes, that was a concern at the beginning, and the representation is far more generous in terms of practising teachers on their council. They said it has not been an issue at all at this particular stage. So it was an unfounded concern and one that is not based on evidence from any other experience that we were able to determine.

The comments from the member for Etobicoke West, I think, put that in context, as he pointed out that the minister had the opportunity, and would still have the opportunity, to pull back something, redirect, or indeed instruct the council if something goes awry, and if it is not working out in terms of the intents or the objects of the college, then that option would always be there. But I truly believe that if you give a professional body a self-regulating opportunity, they will respond responsibly and that they would not want to be seen as just being manipulated by the federations per se. This is a completely different set of responsibilities and I believe the teachers would respond accordingly and take this very seriously. That can be said about most things that are created, of course; that there is a degree of trust that you must have.

I refer back to a comment made by the former Premier of Ontario, Premier Davis, when he said, "No model should go forward without the enthusiastic support of the teaching profession." I know that has been cited many times.

While you know there is some resistance throughout the federations and the OTF, there is, as I said earlier, some acknowledgement that, "All right, if this is going ahead, then at least let's get it right" — the sentiments I believe of many of the federations. They had done a lot of homework; they had made numerous presentations, and they were prepared to work with us as a committee to arrive at a solution, to see even a minor amount of movement made.

If you believe in what Premier Davis said, and I do, I think it's important that we're talking about a self-regulating body of practising teachers. It's not there right now; it is not there in this bill. The NDP, which put forward the idea, and the formulation of the implementation committee, in my opinion had the wisdom — after having heard and listened to some of the representations, they even changed their minds and demonstrated a degree of flexibility on trying to accommodate and provide for a truly self-regulating body of practising teachers. They could have stuck to it and said, "Well, they are our recommendations; therefore, we won't make any changes," but they did, and I applaud them for that. They showed flexibility and they showed I think a capacity to listen, to hear and respond accordingly.

This was not supported by the government side, nor was an amendment which recognized and acknowledged

that the overall number of 31, the size of the council, be acknowledged and that 17 are elected. Fine, but it recommended a movement of two people. In the grand scheme of things, this is in my opinion a symbol of the issue of the college — two people; that those two people are from the practising profession. In other words, they're engaged by a school board as teachers, which can still accommodate the recommendations, of course, if we so choose.

We could still accommodate the supervisory staff who were part of that 17. Someone from a faculty of education can be the appointed person, as part of the council — fair enough, makes sense — someone who is proposed and appointed, and it would honour the overall balance. But it clearly sends a message and, believe me, would be welcomed — somewhat reluctantly — by a good portion of teachers. I'm hesitant to give percentages as to whether that would be half the teachers or 60%, but I know from discussions I have had with both individual teachers and federations that a good portion would truly welcome that movement as at least in the right direction. It does not go as far as the BC model, but indeed it does acknowledge and provide a person of one as a majority on the council and a symbol of respect for the profession.

1730

The amendment acknowledged the private school system and recognized that there needs to be included a teacher who represents the private school area as well, but a practising teacher. In terms of classroom teachers in the faculty of education, it's not quite the same; they're not really teaching in the elementary or secondary school system. Regardless of that, the power of course resides on the government side. They can do what they want. They can listen to it, they can respond to it or they can ignore it. I suggest to you that the government has chosen heretofore to ignore it.

An overwhelming majority of teachers are not supportive. It flies in the face of, "No model should go forward without the enthusiastic support of the teaching profession," as Premier Davis had said. I think most members would want to propose something to a profession that would be welcomed and be embraced and that we should start off in establishing a college with teachers being highly enthusiastic rather than feeling that somehow they've been placed in a corner.

The negative assumptions about this relate to a small number of people, as there might be in any profession, but I believe the message of respecting the profession and therefore acknowledging a truly representative self-regulating body in terms of governance would send a most positive message.

I truly wish the government would have entertained that amendment, for it was an attempt to start a true consensus, a building process which must be the foundation of the college's work. Contrary to the member for Durham West, based on the conversations I've had with teachers, I believe this was a seminal point that remained to gain the support of a good number of those in the teaching profession.

I believe this particular issue will affect how teachers perceive the college. As it was stated during one presentation to the committee, it is important that we have the

right motives to want to establish a College of Teachers. If we're trying to be vindictive, those are the wrong motives. I'm not suggesting that, but that's what some people perceive. As I've stated earlier, I feel that we are making the early years of the college much more difficult than they should be, due to this sense of apparent mistrust.

During the hearings we heard from the Aboriginal Education Council, the Aboriginal Education Network and the Ontario Federation of Indian Friendship Centres. They put forth a very strong case in terms of the need to recognize their particular groups and organizations in the process. They indicated that all aboriginal teachers have to have Ontario teaching certificates to teach within their system. For those of you who aren't familiar with it, this is within a system that is on reserves and funded by the federal government. These are not school teachers in the provincial system as such, but the federal government has required that they receive certification from the provinces.

I believe their presentations made a significant impact on the hearts and minds of the members on the committee, but I failed to see any movement when we looked at the revised amendments to the bill, which disappoints me deeply. I believe we missed an excellent opportunity to make a statement through the college about the importance of aboriginal culture to the teaching practices of aboriginal peoples. This is something I think the member for Brant-Haldimand recognized as well but unfortunately was unable to influence the outcome of the vote on a series of amendments we put forward on this issue.

Their total aboriginal system is quite different from ours. We have a lot to learn from them, it seems to me. I think they have a rationale. Rationally and intellectually and compassionately, they put forward a request in a highly reasonable manner. We are not simply dealing with numbers here, because they're not really of our particular provincial system. They have a completely different cultural context, methodologies, historical and traditional ways of coming at education that I think we should be respectful of. In this one way we might demonstrate that we show and appreciate and respect the aboriginal cultural background.

I believe we have a responsibility to try to address their truly justifiable and eminently valid concerns. I do not see that in this bill. The aboriginal people indeed are caught between a rock and a hard place. As I mentioned, they are funded primarily by the federal government, except the federal government requires that they be recognized under the teaching certificates by the provinces and so they are obliged to come to the province to deal with certification. I was quite surprised when the parliamentary assistant said at committee that the government agreed that there should be an aboriginal advisory committee. I agreed with that as well and I felt that a number of the members of the committee did, but it was something that did not happen. It was voted down in the final analysis.

I thought the rationale was rather weak at the time when it was voted down. However, it comes as no surprise to me now, as we see that the ministry itself has disbanded even the Aboriginal Education Council. Instead of embracing the special needs of the aboriginal commun-

ity, which I had wanted to see happen in Bill 31, it is clear that this government is moving away from them — and moving away from them, in my opinion, in a most insensitive manner. I'm quite disappointed and I think you'll see that the aboriginal community will be highly disappointed in this one as well.

I want to touch on the issue of protection of privacy. I was pleased that we had the opportunity to have the views of the privacy commissioner, Mr Tom Wright, who during the committee proceedings also helped us by playing an advisory role to the committee in proceeding to sort out some of the privacy issues at play in this legislation.

I am still, however, hesitant at the lack of movement by the government to set in place firm safeguards for the gathering and the use of personal information. I still contend that the information that is kept in the public registry of the college should be limited to name, certificates of qualifications, current place of employment and any disciplinary action that might have taken place. While the government accepted part of the amendment, limiting the information, they have still left it open for other information to be recorded. This I feel is unfortunate.

With respect to hearings of the discipline committee, public hearings will now not be required. Highlighting a member of the college who has been accused of professional misconduct or incompetence in public will not further the goal of enforcing professional and ethical standards by the college on its membership. I am confident that disciplinary action can be properly administered by the committee within the confines of closed hearings. To meet the goal of promoting the profession and communicating with the public, the public will be sufficiently served by public notification of the actions undertaken by the college after a finding of professional misconduct or incompetence, which is standard procedure in a number of college professions.

It is, I might add parenthetically, rather odd still that hearings of the discipline committee are open under certain considerations when the fitness to practise committee, which is a new addition to the bill, will hold closed hearings. Why the government in this case accepts that hearings are closed, but will not adhere to the same principle for the discipline committee, is passing strange.

1740

I'll sum up my comments here. As I said at the outset, I believe the committee that has reviewed this legislation had the benefit of some excellent advice, very thoughtful presentations and, I thought, some solid recommendations. But as far as I'm concerned, every one of the presenters who appeared before the committee came with one goal in mind: the improvement of education in Ontario through quality teaching standards. There was a sense of optimism, there was a sense of cooperation, there was a sense and room certainly for consensus building, but unfortunately the opportunity was not seized.

I can only hope that short of a reversal by the government that the College of Teachers will flow from this legislation, the government will take heed of the comments and suggestions passed over by the government to

build the college with a solid foundation in cooperation and partnership. I truly wish it well. However, I truly regret that because of the fundamental flaws in this revised bill, I feel that in good conscience I cannot support its passage in this form.

The Speaker: Statements and responses?

Mr James J. Bradley (St Catharines): I'm going to use the two minutes for a response, instead of making a speech on this, to indicate my support for what the member has said. He won't have to respond to me because he knows that I agree with much of what he had to say.

This is an initiative which I think in its present form does not have to proceed. The government did have an opportunity, as Mr Patten has pointed out, on a number of occasions to modify the bill so that it would have been acceptable to a much wider portion of the community, particularly those involved in education.

I see this as one more intrusion into the classroom, an intrusion which is not necessary because we already have within boards of education, within the Ministry of Education, within the federations, the opportunity to undertake many of the activities that are contemplated for the College of Teachers. This is an opportunity to victimize, in my view, those who are in the classroom.

The practical sense of what it is, the practical aspect of it — there are those who will not have received the marks they wanted to receive. There are those perhaps who have people in the family who believe they have not received the marks they're supposed to have received. The opportunity to get back at the teacher is to utilize the provisions contained within this legislation. Similarly for discipline being exercised against some students, this is an opportunity again.

All it does is discourage those who still have the intestinal fortitude to be involved in disciplining students to just stay away from disciplining those students. That's my concern about it. I don't think the government's being malicious with the legislation. It's going to pass this afternoon. I'm very concerned about that aspect.

I think Bill Davis, who was Minister of Education and former Premier, would have been prepared to accommodate the concerns which were expressed at the committee. Unfortunately, the government has not done so and I concur with our critic, Mr Patten, that we should vote against the legislation.

Mr Bruce Crozier (Essex South): I want to take these two minutes to comment. Education and the quality of education manifest themselves in many ways, and I just want to point out that in Essex county we've had good teachers over the years and this month the Leamington District Secondary School will be celebrating its 100th anniversary and a continuance of quality education in the county of Essex.

The Speaker: There being no further members or comments, the member has two minutes. If he's not using his time, we have further debate.

Mr Bud Wildman (Algoma): I appreciate my colleagues from the Liberal Party and others in the House cutting short their opportunity to comment on the member for Ottawa Centre's remarks because of the need to deal with this legislation late in the afternoon.

As the member for Ottawa Centre indicated in his remarks, it is inevitable that the College of Teachers will be passed into law. This is a concept that has been supported by many members of the House, by all parties for many years and this is a matter that has been of some controversy.

I want to indicate to you, as I did at second reading, that our party initiated the consultation around the establishment of a College of Teachers and developed the parameters within which the legislation was prepared by this government. That didn't mean we didn't believe the bill could not have been improved. For that reason we put forward a number of amendments, a couple of which were substantive amendments. We had hoped that through the debate in the committee, the presentations made by interested groups, whether they be members of the Ontario Teachers' Federation or others, the government would consider very seriously substantive changes.

There was one change which was beneficial. Previously, the bill did not differentiate between incapacity to teach and discipline. The same committee would deal with a teacher who might become incapacitated through illness, emotional difficulties or whatever as would deal with discipline in cases of alleged misconduct.

That didn't seem appropriate to us or to any of the members of the committee, and for that reason we put forward a proposal that it be changed.

I'm happy to say the government came forward with a change, an amendment that did separate the two processes to ensure that someone who might be considered incapacitated would be dealt with by a different committee of the college than someone who had been subject to an allegation of misconduct. For that reason, we were pleased.

However, we also put forward amendments with regard to the makeup of the board that were not accepted and we also put amendments that would have followed the process of the British Columbia College of Teachers to ensure there is not double jeopardy for teachers; that is, that the normal employer-employee relationship — the processes of arbitration, grievance and so on — would be exhausted prior to the college stepping in to consider the lifting of a certificate, keeping in mind that the board would have been required to keep the college informed at every stage.

I regret that was not accepted and I hope that as the college begins its work and develops models for approaches it would consider very carefully that approach; that is, not taking action, except with some very limited number of major exceptions, until the process between employer and employee is exhausted.

On second reading, we supported the legislation. The New Democratic Party did not change its mind. We said we wanted to have amendments. We still regret that amendments were not accepted. We support the concept of the college, and for that reason we will be supporting the bill on third reading.

1750

The Speaker: Further questions or comments?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Consent to defer?

Mr Wayne Wettlaufer (Kitchener): Mr Speaker, I believe we have unanimous consent to defer the vote until Monday, June 17, just prior to orders of the day.

The Speaker: Agreed? Agreed.

ONTARIO INSTITUTE FOR STUDIES IN EDUCATION REPEAL ACT, 1996

LOI DE 1996 ABROGEANT LA LOI SUR L'INSTITUT D'ÉTUDES PÉDAGOGIQUES DE L'ONTARIO

Mr Young, on behalf of Mr Snobelen, moved second reading of the following bill:

Bill 45, An Act to repeal the Ontario Institute for Studies in Education Act and transfer assets to the University of Toronto / *Projet de loi 45, Loi abrogeant la Loi sur l'Institut d'études pédagogiques de l'Ontario et transférant l'actif de l'Institut à l'Université de Toronto.*

Mr Bud Wildman (Algoma): I appreciate my colleagues giving me the opportunity to lead off very briefly on this legislation. The legislation finalizes and implements an agreement which was dated December 16, 1994, to integrate OISE, the Ontario Institute for Studies in Education, with the faculty of education at the University of Toronto.

Discussions between OISE and the University of Toronto on integration of the two institutions began some time ago. The intended outcome of these discussions was to maintain and preserve the academic integrity of the Ontario Institute for Studies in Education while finding administrative and financial savings. The agreement to achieve full integration was to be achieved by July 1, 1996.

This bill is supportable. It does indeed implement this. It transfers all property rights and powers of OISE and its board of governors to the University of Toronto and ensures that any gifts to and trusts held by OISE will be transferred to the University of Toronto. For that reason, we are in support of the legislation.

I won't reiterate the comments that were made earlier in debate on other legislation today because of the time, but I indicate that while we're in support of this legislation, we have serious problems with the approach of the government towards not just elementary and secondary education, as has been made clear in the previous debate, but to post-secondary education in this province.

We've seen \$400 million being removed from post-secondary education programs in this province in one year; university budgets have seen an enormous cut, almost \$300 million have been eliminated; we've seen tuition fees increase by at least 10% and in some programs as much as 20%. So while we support the integration to save money and to ensure the integrity of OISE and its contribution to the education system in the province as part of the University of Toronto, we are very concerned that this is happening at the same time the government is attacking education at the post-secondary level as well as the elementary and secondary levels.

I urge members of the House to support the legislation, but keep in mind that we do not support the overall approach of this government to post-secondary education and the rights of students in this province.

Ms Annamarie Castrilli (Downsview): I will support this bill, as I believe it represents what should be the underlying principles and objective of the post-secondary sector. I'd like to say, however, in the very little time we have at our disposal, that this is an outstanding example of how you can achieve consensus on something which is important when you have open consultation, when you have full participation and when you apply your imagination and your skills to achieve a solution in a sector as important as this.

I wish the minister would apply more of this, that we could see more examples of this in the area of post-secondary education. In fact, we have not seen much of that. We've not seen any planning. We've only seen some slashing and some cutting without any thought to the consequences.

In the short amount of time available to me, let me congratulate the University of Toronto and the Ontario Institute for Studies in Education. I wish them, their staff and their students every success in this endeavour. I hope that we can look for imaginative solutions from here on in that will benefit the system and take us towards the 21st century with a strengthened educational system which has at its core quality, excellence and accessibility.

The Speaker (Hon Allan K. McLean): Any questions or comments? Further debate?

Mr Young has moved second reading of Bill 45. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading? Agreed.

It being close to 6 of the clock, this House stands adjourned until 10 o'clock tomorrow morning.

The House adjourned at 1756.

TABLE DES MATIÈRES

Mercredi 12 juin 1996

PREMIÈRE LECTURE

Loi de 1996 modifiant la Loi sur la vérification des comptes publics, projet de loi 74, <i>M. Grandmaître</i> Adoptée	3489
--	------

DEUXIÈME LECTURE

Loi de 1996 abrogeant la Loi sur l'Institut d'études pédagogiques de l'Ontario, projet de loi 45, <i>M. Snobelen</i> Adoptée	3509
---	------

TROISIÈME LECTURE

Loi de 1995 sur l'Office de la qualité et de la responsabilité en éducation, projet de loi 30, <i>M. Snobelen</i> Adoptée	3503
Loi de 1995 sur l'Ordre des enseignantes et des enseignants de l'Ontario, projet de loi 31, <i>M. Snobelen</i> Vote différé	3508

CONTENTS

Wednesday 12 June 1996

MEMBERS' STATEMENTS

Philippines Independence Day	
Mr Ruprecht	3474
Ministry of Environment and Energy staff	
Ms Martel	3473
Fiesta Week	
Mr Ouellette	3474
Obstetrical care	
Mrs Pupatello	3474
Legislative staff	
Mr Christopherson	3475
Johnson Controls	
Mr Chudleigh	3475
Violence against women	
Mrs Caplan	3475
Camping fees	
Mr Hampton	3475
Chapman's Ice Cream	
Mr Murdoch	3476

STATEMENTS BY THE MINISTRY AND RESPONSES

Ontario Works	
Mr Tsubouchi	3476
Mr Agostino	3477
Mr Cooke	3478

ORAL QUESTIONS

Youth unemployment	
Mr Phillips	3478
Mr Snobelen	3478
Toronto Transit Commission	
Mr Conway	3479
Mr Palladini	3479, 3483
Mr Colle	3482
Mr Pouliot	3483
Ontario Works	
Mr Wildman	3480
Mr Tsubouchi	3480, 3481
Ms Lankin	3481
Education Quality and Accountability Office	
Mr O'Toole	3484
Mr Snobelen	3484
Liquor and gaming control	
Mr Crozier	3484
Mr Sterling	3485
Young offenders	
Mrs Boyd	3485
Mr Runciman	3486

Municipal restructuring

Mr Gerretsen	3486
Mr Leach	3486

PETITIONS

Family support offices	
Mrs Pupatello	3486
Courtcliffe Park	
Mr Skarica	3487
Rent regulation	
Mr Curling	3487
Mr Grandmaitre	3488
Lottery tickets	
Mr Kormos	3487
Scarborough General Hospital	
Mr Newman	3487
Non-profit Housing	
Mr Gravelle	3487
Occupational Health and Safety	
Mr Christopherson	3488
Child care	
Mr Carr	3488
Junior kindergarten	
Mr Gerretsen	3489
Video lottery terminals	
Mr Bradley	3489

REPORTS BY COMMITTEES

Standing committee on government agencies	
Mr Martin	3489
Report deemed adopted	3489

FIRST READINGS

Audit Amendment Act, 1996,	
Bill 74, <i>Mr Grandmaitre</i>	3489
Agreed to	3489

GOVERNMENT MOTIONS

Extended hours of meeting,	
government notice of motion	
number 8, <i>Mr Eves</i>	3489
Mr Hodgson	3489
Mr Bradley	3490
Mr Cooke	3492
Agreed to	3493

SECOND READINGS

Ontario Institute for Studies in Education Repeal Act, 1996	
Bill 45, <i>Mr Snobelen</i>	
Mr Wildman	3508
Ms Castrilli	3508
Agreed to	3509

THIRD READINGS

Education Quality and Accountability Office Act, 1995,	
Bill 30, <i>Mr Snobelen,</i>	
Mr Skarica	3493
Mr Patten	3494, 3496, 3499
Mrs Boyd	3495
Mr Bradley	3495
Mr Kormos	3496
Mr Colle	3496
Mr Wildman	3496, 3500
Mr Tilson	3499, 3502
Mr Marchese	3499, 3502
Mrs Munro	3500
Mr Bradley	3500, 3503
Mr Colle	3501
Mrs Pupatello	3502
Agreed to	3503
Ontario College of Teachers Act, 1995, Bill 31, <i>Mr Snobelen</i>	
Mr Snobelen	3503
Mr Patten	3504
Mr Bradley	3507
Mr Crozier	3507
Mr Wildman	3507
Vote deferred	3508

OTHER BUSINESS

Visitors	
The Speaker	3476
Notice of dissatisfaction	
Ms Lankin	3482

continued overleaf



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Journal des débats (Hansard)

Jeudi 13 juin 1996



Speaker
Honourable Allan K. McLean

Clerk
Claude L. DesRosiers

Président
L'honorable Allan K. McLean

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 13 June 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 13 juin 1996

*The House met at 1002.
Prayers.*

PRIVATE MEMBERS' PUBLIC BUSINESS

IMPORTATION OF WASTE STATUTE LAW AMENDMENT ACT, 1996 LOI DE 1996 MODIFIANT DES LOIS EN CE QUI CONCERNE LE TRANSFERT DE DÉCHETS

Mr Ramsay moved second reading of the following bill:

Bill 56, An Act to amend the Environmental Protection Act and the Waste Management Act, 1992 with respect to the Importation of Waste from one municipality into another / Projet de loi 56, Loi modifiant la Loi sur la protection de l'environnement et la Loi de 1992 sur la gestion des déchets en ce qui a trait au transfert de déchets d'une municipalité à une autre.

The Acting Speaker (Mr Gilles E. Morin): Pursuant to standing order 96(c)(i), the honourable member has 10 minutes for his presentation.

Mr David Ramsay (Timiskaming): As I start my discussion and as we begin debate between all parties on my bill, I say to the new members and the people watching that it is a very special opportunity and privilege that members of the Ontario Legislative Assembly have that, depending on how lucky we are, maybe once or twice during a government session we actually have the opportunity to bring up a concern of an individual member that must be debated and voted on by this assembly. I must say I cherish it and I know the other members do too.

I'd like to start by explaining what my private member's Bill 56 is. As you have read in the title, the bill involves the establishment of new and the enlarging of existing garbage sites that are primarily for the use of depositing garbage that is imported from another municipality, from another jurisdiction, possibly even from another country. I think this is very important. While we always have to grapple in our neighbourhoods and our municipalities, our counties and our districts with the disposition of our own waste, with modern transportation methods today and densely populated large urban centres such as Metro Toronto, many municipalities or jurisdictions in other countries are always looking for a new home to deposit their waste. I think it's very important that we differentiate between the standards we apply to that sort of disposition of garbage, the waste that would

come from another jurisdiction, and that which we have to handle in our own backyard. I have moved amendments to two acts, the Environmental Protection Act and the Waste Management Act, to differentiate and ask for a higher standard when we look at the disposition of garbage that comes from outside of our municipalities.

The bill is very simple. It addresses basically three principles. The first is that the site must be established and operated to the very highest available standard. I think this is particularly important when we're talking about a municipality handling its own waste, but when we're talking about the importation of waste, usually you're talking about a mega-dump. If you're talking about a mega waste project, I think it's doubly important that we apply the very best standards available for our environment to that project. While we may have a standard here in Ontario that states certain requirements, we know that with the different chemicals we find in our waste stream today it's very important that we keep on top of that, that we keep strengthening those standards, that we keep looking for the next chemical that we consider might cause a health hazard and apply the very best technology and standards to the establishment of that site. That's the first principle of this bill, and I would ask the members of the opposition, even if they don't like a particular detail of the bill, to at least look at the standards and address the basic principles of the bill.

Second, the site process and proposal must go through a full Environmental Assessment Act hearing. We hear from the government that potentially, and the Minister of Environment and Energy is on record as saying possibly, the establishment of waste sites in Ontario may not have to go through an environmental assessment. That really scares me, especially when you're talking about the new type of mega-sites that are being developed today. I think it is very important that the scrutiny of the very tough Environmental Assessment Act that we have in Ontario, that was passed by a previous Conservative government, be placed to and put to these proposals. I think it's very important that, while we may be looking at streamlining the criteria for the establishment of waste management sites for our own use, for sure we do not dilute at all the standards we apply to a site that is primarily to be established for the receiving of waste from another jurisdiction.

Lastly and very importantly, as far as I'm concerned, is that when you're talking about a mega-dump coming into your own municipality, it's very important that the local people have a direct say; after all the information is in, after we know the facts, after an EA is completed, that part of the final approval process from the government, from the Ministry of Environment, is that a binding referendum be held in that jurisdiction.

This is one point I put in the bill because of my particular circumstance, which I will address here. I've put in a certain criterion of 100 kilometres, and I've done that to address the particular situation in Timiskaming that I'll talk about in a second. That is certainly debatable, and if we got approval today for this bill to go into second reading debate I would like to see some discussion. I would be open to any friendly amendments that give some flexibility as to how large a catchment area we should have for people to have a direct say.

1010

What I believe is that the principle is sound, that people who live in a municipality in unorganized areas, in counties or northern districts should have a direct say as to the establishment of a mega-dump that's primarily being used to house, if you will, a foreign jurisdiction's waste. I think that's very important and I hope all members from northern Ontario and southern Ontario, when faced with the same sort of proposal, would want to work on behalf of their constituents to make sure their constituents have a say.

The reason I'm bringing this bill forward is that my very neighbourhood faces this type of proposal today. There is now no longer a public sector proposal but there is still a private sector proposal put before the people in my area to establish a mega waste disposal site in an abandoned iron ore mine called the Adams mine site, an old, open-pit, iron ore mine just south of Kirkland Lake. It happens to fall in an unorganized area, so there is no municipality, nor any direct local representation for those people.

Neighbouring municipalities, three councils, have given the green light to this, but the vast majority of people in that area want to have a say about this project. They want to ensure that this thing is built to the highest available standards if it's proved to be environmentally safe. They want to ensure that there's a full environmental assessment process. In the end, once they have all the information, they want to ensure that they have a say. I think this is very important.

This particular project I personally do not care for. This project is basically an 80-million-tonne repository that sits 300 feet above the great clay belt of Timiskaming where all our farmers depend on groundwater to feed their livestock and their families; so basically sitting 300 feet above the clay belt area, about 40 miles by 40 miles in a fractured rock pit. The plan is to put 80 million tonnes of Metro garbage.

That project may be safe, I don't know. But I want to make sure that it would be built and proposed to the very best standards, maintained that way, have a full environmental assessment hearing, and in the end the people in my area should have a direct say whether they want to go ahead or not. We're talking about six trains a day coming through all our towns to bring this waste there. We're talking about putting this waste in this fractured rock pit where water comes in and comes out. It sits right on top of the Timiskaming aquifer. It's very important to the people of our riding that we have a say in this particular project.

I am pleading with the members today to allow this bill to proceed. As I said, I am certainly open to sugges-

tions as to how to modify this bill, especially maybe in regard to the 100 kilometres referendum. That distance certainly fits my particular situation. It may not be appropriate to other situations. I think you have to go by mileage, though — or kilometrage, as we would say today — rather than just by jurisdiction. You may have a mega-site being planned on the border of some municipality right next door to another one, so obviously the people of the neighbouring municipality should have a say also.

We certainly need to establish a catchment area. It should be established, I believe, on environmental grounds as far as water-tables and watershed areas. In my particular case, that would involve at least 100 kilometres because the water aquifer that runs underneath this pit goes into Lake Timiskaming, which is the headwater of the Ottawa rivers. We certainly don't want to see nickel and mercury and cadmium coming into our waterways and into our wells. We want to have a say, we want to make sure it's to the very best standard, and I ask members today to try to support this bill.

Mr Doug Galt (Northumberland): It's a pleasure to respond and be part of the debate on Bill 56. I certainly agree with my honourable friend from Timiskaming that it is a privilege to be able to bring forth a private member's bill and to debate it on Thursday mornings.

Certainly I found your bill very interesting. It brings forth some ideas on democracy. At first glance I kind of questioned why this bill was being brought forward, and certainly you've explained it this morning, concerns about your particular area and in northern Ontario.

As I read it and think about it, it's not written for all of Ontario. I would very much agree that Toronto-based solutions do not provide the answers for all of Ontario. On many occasions, we found that they just simply don't work. But similarly, answers written for northern Ontario do not necessarily work for all of Ontario.

This bill amends sections of the Waste Management Act and the Environmental Protection Act. It applies to the siting, the expanding and the altering of all landfill sites importing waste from outside a zoned municipality. I'm particularly concerned about altering because that could mean this would plug in if you wanted to make them smaller, if you wanted to close them earlier, if you wanted to put in a new collection system or new, improved, up-to-date, state-of-the-art protection system liners, that sort of thing. We're encumbering environmentally friendly changes, and too many times we've run into situations where it's taken up to three years to work through a very awkward process to improve our environment.

It really comes up with asking for three things: (1) the director must meet the highest possible standards — I fully agree, state of the art, that's the kind of thing any landfill site should be meeting when they're siting them or developing them; (2) notifies EA boards for hearings, and that's consistent with what's been going on; (3) also a referendum of all residents living within 100 kilometres of the landfill site and at least 50% must support the landfill proposal.

In general terms, I'm very enthusiastic about referendums. I think it does improve the democratic process in general, but today it's awkward to use the referendum

process. It's cumbersome, we're not set up for it, and we need a current, up-to-date voters list if we're really going to make referendums work.

Enumerations are expensive and unless it's within a year of an election, the only way we can carry out a referendum today is to go about an enumeration. For referendums to fly in the future, we need a current, up-to-date voters list to be ready to go and then it would be reasonably priced to carry out referendums.

I have some concerns with this bill in that it doesn't meet quite a few things. What about the role of the municipalities that are not affected and that are within 100 kilometres of a landfill site? Should they really be all that involved with the vote? But more importantly maybe, what about the role of municipalities that are over 100 kilometres and could be affected, such as down the Ottawa River or down the St Lawrence? In those types of catchment basins they should be addressed and their concerns should be addressed as well, not just simply ignored. There's more to it than just 100 kilometres. Then there's the administration of a referendum and how that would be carried out.

I recommend that the members not support this particular bill. Our ministry is preparing legislation that will be tabled this afternoon, a new environmental assessment bill.

What we really need is productive scoping and setting out what's needed for a landfill site and the requirements well in advance. What we need are no big surprises as you move down the road to developing these, get it all set out in advance. At present, we are going through an extensive consultation process to involve the communities in the general area.

It's our hope that we will foster cooperation between municipalities. This particular bill will pit municipalities against one another in a struggle to bring in a landfill site for the purpose of importation of garbage.

The 100-kilometre zone is very arbitrary. I really don't see any basis for why we've drawn a circle with a radius of 100 kilometres. Since this referendum will obviously span many jurisdictions, I'm left with wondering how the referendum would be carried out. There is a tremendous number of questions there. Who would administer the referendum and ensure its fairness and impartiality, and maybe most of all, who would be paying for that referendum? That kind of thing is not addressed. It doesn't even address who would be allowed or, if the 100 kilometres reaches into a certain municipality, would all of that municipality get to vote or just the portion that happens to be represented?

1020

This is a map I brought for the honourable member for Timiskaming along with, to scale, a circle of 100 kilometres. You can see how much of Ontario this 100 kilometres would cover. If we were to put a landfill site in, say, Niagara Falls, I guess, because you don't say and the referendums in Ontario are not clear, we'd have half of New York state voting. If we were to put one in Gravenhurst, we'd have most of Toronto voting on a landfill site in Gravenhurst. I don't think the member from Muskoka would be very pleased to have all of Toronto voting on a landfill site in Gravenhurst. My

residents in Port Hope would be pretty upset to have all of Toronto voting on a possible landfill site in Port Hope.

This bill is not consistent with our present government policies. We certainly stand for environmentally acceptable options and tough standards to protect the environment. We stand for some streamlining and improving the waste approvals process. It is not consistent to increase the numbers of inefficient, cumbersome Environmental Assessment Board hearings. We certainly don't need more of those and longer ones, and we certainly do not need to increase the time frame to develop landfill sites.

For these reasons I would suggest that the members not support this particular bill and vote nay.

The Acting Speaker: Before we proceed I just want to remind the member for Northumberland — I know your intentions were good, you meant well — that no signs or anything are allowed in the House. I hope you will understand.

Mr Dalton McGuinty (Ottawa South): Let me begin by congratulating my colleague the member for Timiskaming for the considerable efforts he has made to date on behalf of his constituents, which are made visible here today through the work he's put into Bill 56.

I might in passing indicate as well to the member opposite who just made a presentation and raised some concerns, some more valid than others, that none of those is fatal. I think the member is open for friendly amendments with respect to this issue of the 100 kilometres. None of this is carved in stone. If it's sent out to committee, that could be reviewed. I'm sure we might be able to accommodate the member.

I'm supporting this bill because it embraces two important principles, one being the importance of having an environmental assessment hearing when we're going to put a landfill site in somebody's community. Secondly, it embraces the concept of a willing host. I want to address those particular principles.

So that members opposite in particular recognize how we got into this in the first place, the Environmental Assessment Act was introduced in this Legislature in 1975 and was proclaimed in law in 1976 by a Conservative government, and for very good reasons. The purpose of the act is to provide for the protection, conservation and wise management of the environment. I'm sure nobody here would disagree with that.

The act is applied in the following way: It says that a person or institution wishing to proceed with an undertaking, and in particular in this case with respect to the introduction of a landfill into a community, must do the following: They must consider alternatives to proceeding and alternative ways of proceeding; they must evaluate the environmental effects of each alternative; they must demonstrate a sound decision-making process that minimizes environmental effects; they must compile a formal document for government and public scrutiny; and, if required, they must present at the Environmental Assessment Board at a public hearing.

All the member for Timiskaming seeks to do today is to ensure, and I think quite rightly so, that in specific cases where garbage or waste from one community is to be transferred to another community, that community which is the recipient or the host is entitled to have the

matter brought before the Environmental Assessment Board for a full and complete hearing.

The introduction of this act is most timely because I understand that the Minister of Environment and Energy is later today to be introducing a new bill which is going to — I'm not sure yet — either exempt landfill sites entirely from the environmental assessment hearing process or lessen the burden on proponents, both of which give me great concern. It's very timely and appropriate that we're considering, through this bill advanced by the member for Timiskaming, the importance of environmental assessment hearings for landfill sites.

So that members opposite in particular recognize as well, it was only in October of last year that I raised this very issue in the House. I asked the Premier something regarding a motion that had been read in this House in 1990. That motion in 1990 read in part as follows, "No new waste disposal sites will be designated within the province without the benefit of full and public hearings under the Environmental Assessment Act." My question to the Premier then was, "Do you still today believe that Ontario's dumps ought to be the subject of full and public hearings on the Environmental Assessment Act?" The Premier's answer, incomplete, was, "Yes, I do." So I do not understand how government members could have any objection to that part at least of this bill, which insists that any effort to introduce a landfill site into a community ought to be made the subject of a full and complete environmental assessment.

The second principle the bill embraces is that of a willing host, and I guess there's some looseness with respect to the definition of a willing host. The principle here is that no community can be compelled against its wishes to take another community's waste. I think that is eminently supportable as well. It's one thing to have to take responsibility for your own garbage, for your own waste, but it's quite another to have to assume responsibility for someone else's.

In the former case, where you are required to assume responsibility for your own garbage, your own waste, it's only right and fitting and just and all those good things, and there is a real obligation on the part of a community to take that kind of responsibility. It provides a real incentive to reduce the amount of waste you are producing within your community.

But in the latter case, where a community is being asked to take in within its borders, within its boundaries, somebody else's waste, that's a different matter altogether. In that case, I would argue there is no obligation on that community to do so. Secondly, that very option being made available to the community which is getting rid of its garbage can act as a very real disincentive to reduction of waste production. It's only appropriate that in that case that community, that proponent which is asking that its garbage be sent elsewhere, seek the consent of the recipient community or willing host. That's only fair and reasonable.

The member puts forward that one way of ensuring we have a willing host is to hold a referendum. That is clearly a means by which we can determine whether or not the community is willing. He is not creating any kind of unfair burden. It's simply a majority of the members.

With respect to this issue of how wide we ought to spread the net, who ought to be entitled to cast a vote in this referendum, that's a subject of some fair debate. But I don't see why that subject could not be addressed more fully at committee. I don't see it as something fatal. We hardly want to involve our American cousins in that kind of consideration. I don't think that was the member's intent. Surely we can all agree on that.

In brief, what the member is trying to do here is eminently supportable. The bill is sound. He's embracing a couple of principles which, in fairness, have been embraced by governments of all political stripes during the past 25 years or so, one of those principles being that if a community is going to receive waste from another community, it ought to do so of its own accord, it ought to be willing to take the garbage in. Otherwise, if not, we should not be able to compel it to do so.

The second principle is that an environmental assessment ought to be heard in these kinds of cases where we're dealing with landfill sites. The member has a particular concern related to his own constituency, a very valid and legitimate concern. In that particular case, we're not talking about a small operation; we're talking about a very large operation. It's important that a full, complete environmental assessment be heard and that the community there be found to be truly willing to receive that waste. I have no reservation whatsoever in lending my full support to the member for his good work, as contained within this bill.

1030

Mr Howard Hampton (Rainy River): I rise to support this bill. I think what is probably more important than the question of support or non-support are the issues around which the support is based.

This is a very brief bill, but I think it sets out a number of important environmental principles. Implicit in the bill is the principle that whatever jurisdiction we live in or whatever jurisdiction we are located in, we assume responsibility for ourselves, we assume responsibility for what goes on in our jurisdiction, we try not to pass our costs or our problems or our waste, in this case, off on someone else.

It seems to me that if we are going to maintain the earth in an environmental condition anywhere near what we have today or if we're to improve upon the environmental condition of the earth, this is a very important principle, that we be responsible for ourselves, that we be responsible for our conduct, that we be responsible for whatever costs we impose upon the natural environment. I think this is an important principle and it is implicitly found in this bill. For that reason, I would support this bill.

Related to this principle of self-responsibility is a second principle: the avoidance of externalities. That is, if we cannot take responsibility for ourselves, we should not impose burdens or costs on others. For example, what this bill would say is that it is inappropriate, if I operate a farm or if I operate some sort of undertaking or activity, that I would spew out waste that is then passed on to someone who lives down the river or who lives on the adjacent property.

The bill speaks to that implicitly, that externalities are not to be condoned, that externalities create an overall loss for our economy, that externalities create an overall loss for our society and therefore externalities ought to be avoided and the law ought not to allow individuals or companies or jurisdictions to impose externalities, to impose their costs on someone else. That's an important principle that is related to the principle of self-responsibility, so on that principle as well I would support this bill. Implicitly, it speaks against externalities and it speaks against allowing a jurisdiction to impose an external cost on someone else.

Finally, the bill says that if for some reason a jurisdiction is unable to be responsible for itself, if for some reason a jurisdiction must impose an externality on another jurisdiction, the test must be very high, the test must be very stringent. In other words, if you can't look after yourself, if you can't take responsibility for yourself, if you can't take responsibility for the debris, for the waste, for the garbage, for the loss that you generate and must pass on to someone else, the bill says the test must be very stringent.

Again, in line with the philosophy of self-responsibility, in line with the philosophy that we should look after ourselves, we should not expect others to look after us, in line with that general principle of self-responsibility, it is quite appropriate to have this kind of stringent test.

It's important to look at what the three pieces of the test are. First of all, the test must be established and operated in accordance with the highest standard available in the industry. Given the situation we would be dealing with here, in my estimation that's quite an appropriate test. If we refuse to be responsible for ourselves, if we insist on passing the costs of our operation on to someone else, then it would seem to me only appropriate that this be done in accordance with the highest standards available in the industry.

The second test is that the establishment of the site must have been the subject of a hearing by the Environmental Assessment Board. I think that's quite appropriate. Once again, if we are incapable of looking after ourselves, if we are incapable of assuming responsibility for ourselves and we want someone else to assume that responsibility, and in this case it's an environmental responsibility, it seems to me there ought, at the very least, to be a hearing. At the very least, there ought to be a hearing to look at what the justifications are, to look at and examine if this is the most appropriate way, the least costly way, to deal with the situation where a jurisdiction is not able to be responsible for itself.

The third part of the test is a referendum. I heard one of the members from the other side say that while he was generally in favour of referendums, he was not in favour of a referendum as it might be used here. I want to take issue with that. It seems to me that one can design a referendum to meet a number of local circumstances. In this case, it's a referendum of persons living within 100 kilometres of the site. It may be that 100 kilometres casts a wider net than is appropriate; it may be that a narrower net is appropriate. It may be that we should be limiting this to the municipality or the regional municipality that is involved.

It would seem to me, though, it is quite appropriate that if we are unable to assume responsibility for ourselves and we are asking others to assume responsibility for us or asking others to assume responsibility for something that we are doing, in this case an environmental matter, there ought to be some mechanism which would allow those who are being asked to take responsibility to indicate whether or not they are willing, whether or not this is in accordance with their wishes.

I go back to the fundamental principle. The fundamental principle is that we should be responsible for ourselves. In this case, we should be responsible for our own waste, our own garbage, that which we would inflict on the natural environment. If we are unable to be responsible for ourselves, it seems to me that one of the standards ought to be that we can show that those we are asking to be responsible for us do in fact and do in effect assume the responsibility. I believe this is a good part of the test.

Exactly how one would want to develop such a referendum, exactly what the geographical sphere ought to be is something that should be open to debate and open to debate at committee. For example, it might be that a referendum should be conducted along with the next municipal election, something like that. Or perhaps it ought to be along with any other necessary questions that have to be decided between municipal elections, and the municipal council, having received a petition of 50% or more of local residents, must then put it up for referendum. It seems to me that there are a number of ways to do this which are fundamentally in agreement with the premises of democracy and the principle of self-responsibility.

1040

Essentially, this is a sound bill and a bill that speaks to principles that I believe everyone in this House would want to uphold and speak in favour of. The subsection, however, dealing with the issue of referenda may require some fine-tuning, and it is probably appropriate that the fine-tuning be dealt with by committee.

But I speak in favour of this bill. I know the kind of issue it's trying to deal with, that is, fundamentally the kind of issue where someone is unable to assume responsibility for themselves or for their jurisdiction and they want to pass that responsibility on to someone else. This kind of legislation, I would argue, is needed to deal with those situations. While, as I say, there may be some parts of it that require fine-tuning, I think that can be done at committee.

Mr David Tilson (Dufferin-Peel): This is a bill that's been introduced by the member for Timiskaming. His riding, as he mentioned, is the location of the Adams mine site. He has spoken many times, recently at least, in opposition to the Adams mine site. When I read the bill, it's almost tailor-made to deal with the issue of whether Metro waste should go to the Adams mine site.

I must say there wasn't too much reaction, from the Liberal caucus at least, during the Interim Waste Authority debate when the provincial dumps were being created around southern Ontario. There was a proposal for the Adams mine site but it really didn't get off the ground because the NDP government said: "You can't export

waste. You can't take waste into another area, whether it be to the United States or whether it be from one area of this province to another. You can't have energy from waste. You can't do this; you can't do that."

We on this side of the House have said, and we continue to say — as the parliamentary assistant has indicated, there will be a report to the House today from the Minister of Environment that the policy is that municipalities are the ones that should be making the decisions. There's sort of a smell of that in this bill, but not really, if I have time to comment on that.

I suspect the member wasn't too active back in the early days of the NDP reign because he was confident, at least at that time, that there was no way in a million years that Ruth Grier was going to allow a dump in the Adams mine. I suspect that is why he is becoming more active now, because there was a referendum held in the Kirkland Lake area. I think it wasn't whether there was going to be a dump but whether there would be an environmental assessment. That referendum carried and it still continues to be a political issue in that area. Obviously, the member for Timiskaming has been quite active on one side of that and Mayor Mavrinac — I think he's still there — is on the other side.

The bill is quite interesting. Many people in this province haven't forgotten the reign of David Peterson, of which the member for Timiskaming was a minister. David Peterson said, "We're going to have a dump" — an interim dump, he called it — "in Whitevale and there's not going to be an environmental assessment." His answer was, "You can't please all of the people all of the time." He said there wasn't going to be an environmental assessment; they were just going to put it there. The member for Timiskaming has come a long way, I will say, from the reign of David Peterson, but I haven't forgotten and the people on this side haven't forgotten, and the people from Ontario haven't forgotten. Can you be trusted when you say you're not going to have an environmental assessment, whereas today you say you should have an environmental assessment?

I have a few minutes left to deal specifically with respect to points on the bill. It is an interesting bill, although, as I say, I think I know why it was created. The whole issue of the referendum — the parliamentary assistant for the Minister of Environment alluded to the fact that he had a circle, and it showed that if you follow the vote of a referendum out 100 kilometres, a larger population could be deciding what is going on in a smaller population. I suspect, for example, if you had an area outside the GTA and you had people in Metro voting on that, they'd love to vote on that: "Out of sight out of mind. Let's put the garbage up in Muskoka." That's the problem with 100 kilometres, although the former speaker, Mr Hampton, may be right: Maybe a committee could vary that.

But I have a lot of problems with the issue of referendum. There are other issues in it. You have said in your bill that we'll have to have a referendum with respect to the operation of the site. I don't know what that means, and again I suppose that could be clarified in committee. Does that mean that for the establishment of a site you're going to have a referendum, and for the operation of a

dump site on a regular basis you're going to have continuing referenda? I'm sure that's not what the member intended, but it is rather vague wording.

With respect to the opening part of his bill where he says we must set conditions to establish a landfill site outside the boundaries of the municipality, why not set what the conditions of a landfill site are across the province? If you're going to be a proponent for a landfill site or an energy-from-waste facility or anything, why doesn't the government say, "These are the regulations; they're tough regulations, and if municipalities don't fit into that," or, if a private proponent wishes to put up a site, if they don't meet those regulations across the province, "they don't qualify"? It has nothing to do with whether you're within one jurisdiction or another jurisdiction. I believe that should be made clear.

These environmental assessment hearings are very, very expensive. The last exercise the NDP put us through cost us millions. I don't know what the final tab was for that terrible Interim Waste Authority process, but it was terrible and it went on and on and on. Actually, it was probably a good thing, looking back. I had the unfortunate pleasure of having one of the dump sites in my riding and it was probably a good thing that it was so confused and so convoluted.

But I would suggest that the member should concentrate more on saying, "These are the conditions for a landfill site or an energy-from-waste facility, and if you don't meet those requirements, don't bother us any more." It may well be that if those requirements are so strict, you may not need an environmental assessment. Maybe you do, but maybe you don't. It depends on the situation.

But I will remind the member, as will all of us if you continue to talk about taking environmental assessments to the board, that your party, of which you were a minister at the time, not Minister of Environment but a minister in that government, was not exactly supportive of environmental assessments. I am rather amazed that you of all people would be coming out at this stage talking about that proposal.

I emphasize that I think it would be more appropriate that your bill be suggesting that we have a strict set of requirements and those are the requirements you meet, that you don't come along and wing it.

I suggest, as I said earlier, that the whole purpose of this bill is to deal with the Kirkland Lake Adams mine site. I went there a few years ago to view it, as the critic for the Conservative party. I didn't hear a peep out of the member for Timiskaming at that time. I suspect, to be fair to him, he didn't think it was possible. Now it is possible, and I guess that gives him grave concern, but I don't think this is the way to do it. If the Adams mine site is inappropriate, the regulations will say it's inappropriate, not referenda.

Mr James J. Bradley (St Catharines): I'd like to speak in support of the member for Timiskaming's bill this morning. I think it represents, for him and for the people of his area, a way to deal with the problem of having those of us from large metropolitan areas sending their garbage to areas that are certainly not large metro-

politan areas. They're often small areas; they're often somewhat remote areas.

It's very attractive to be able to do so, I must say, when you have the problem of, as they always say, Toronto garbage or greater Toronto area garbage. One of the solutions which is least annoying to the people who live in the immediate area, the people who actually create that garbage, is the solution of sending it some distance. We now send it into the United States, in some cases. We send it to other places in Ontario. These arrangements do exist because there are municipalities — if you take the city of Toronto, for instance, there's nowhere in the actual city of Toronto you're going to be able to dump Toronto's garbage, so there is always going to be the problem of trying to find a way to get around this.

1050

One of the best ways, of course, is to continue the program of reducing the amount of garbage we produce in the first place, reusing many of the items that in years gone by we used to simply throw in landfills or into incinerators, and of course recycling various products. I think a lot of municipalities have really advanced in this area. We're continuing to see it, despite the fact the funding was cut off. We're still seeing municipalities concerned enough about this that they're expanding those programs for recycling, and this is most encouraging. It means that municipalities that create their own garbage seem to want to deal with that problem or at least are prepared to begin to deal with that problem in a way that in the past they did not.

Mr Ramsay, the member for Timiskaming, has a specific problem. There are people down south who would like to take the garbage and send it up to his constituency. It's interesting. When these proposals are made, initially there's a lot of acceptance of them. Some people at the local level cheer them and they see big money coming in and so on. What you often find is a pattern. I've observed the pattern over the years, where the initial enthusiasm for something like this starts to dissipate after a little while when people understand the ramifications of the garbage coming from somewhere else.

It's a bad principle as well. I'm not saying it can't ever be avoided. There are circumstances where it's going to have to happen, but as often as we can, it is good to be able to avoid this by, as I say, reducing the amount of garbage we produce in our society, and I think there's much more we can do in that direction by reusing a lot of the items.

I give credit to some of the people, for instance, in the building industry who are now using a lot of products once again that in the past used to be thrown away. There are some good pilot programs that we see around the province. I remember the city of Guelph used to be particularly innovative in some of the things it was doing. I remember visiting places in Peel county where there were special programs being undertaken in terms of wood recycling and so on.

But Mr Ramsay and his constituents face a specific proposal that is floating out there. It seems to die one week and be revived the next week. I think he wants to find a solution. He's not being overly radical in this. He's not saying this should never be considered, that the

option should be cut off. Much as many people in the area might want that to be the case, he has chosen something that I think he believes is quite practical.

The bill sets conditions that must be met in order to establish or operate a landfill site in a municipality if the purpose of the site is to accept and dispose of waste generated outside the boundaries of the municipality. I think he is entitled to have these conditions placed on it if it is not the garbage from his own municipality.

First, the site must be established and operated to the highest standards available in the industry. I think we want that anywhere where there's a site. I think he's wise to put that in there. All of us, when we see any of these landfill sites around, want them to be to the very highest standards. I suspect that today the government will be bringing in a bill, by the way, which is going to adversely affect the environmental assessment process just as this bill is before us today.

Second, the site must be the subject of a full hearing by the Environmental Assessment Board is his suggestion and a major, mammoth site of this kind is what he's looking for. What I can tell him is that unfortunately today the government will be weakening the environmental assessment process, much to the chagrin of many, I think, on all sides of the House who wanted to see a strong environmental assessment process.

I feel sorry for the Minister of Environment and Energy having to announce this because she'll have to put a smile on when she gets up and says why it's good, and that's difficult all the time to do so. I understand it's not an easy problem. I never want to say it's an easy problem to solve, but you're going to see today, the very day this bill is before the House, the government once again weakening environmental standards. A lot of Conservatives out there that I know in the province are concerned about the environment and I think a lot of them are going to start to be concerned about what the very right-wing section of this party is doing in this regard.

The third is, he calls for a referendum to be held among the people residing within 100 kilometres of the site and the results must indicate that a majority of the persons who voted are in favour of the establishment of the operation of the site. I think what he's saying here is — he's trying to have what you call the happy host site. In other words, the people who reside in the area, the people who will have to put up with the problems that exist, the problems that are created by bringing this garbage into the area, are going to have a voice in this. It may be that the local municipality says this is a good idea and it may be that they don't.

For instance, I thought the vote that took place in Oshawa was rather interesting, where Oshawa said it didn't want a casino. I was going to send them a letter of congratulations, though some of my colleagues might disagree with me on that. That's what I mean, when people have that opportunity. I think Mr Harris during the campaign indicated if he were Premier that he wanted to see a referendum on many more issues. I think this falls within the purview of what the government has advocated and I want to commend the member for Timiskaming for taking this particular initiative, which is practical and

which is in the interests of the people he represents and of course, ultimately the province as a whole.

The Acting Speaker: The member for Timiskaming has two minutes to reply.

Mr Ramsay: I'd like to thank all the members who participated in the debate today. It is ironic, and I guess perfect timing, that my bill that tries to strengthen environmental standards comes on a day when unfortunately we believe, and we'll know by this afternoon, that environmental standards in regard to waste management are going to be lowered in this province. That's sad.

I'll tell you why it's sad: I think you would have a better process with people feeling more certain about the process and probably better success in establishing landfill sites if people felt confident in very strong and tough standards. It's when you have the uncertainty in these standards and a lowering of the standards that we're going to see today that you're going to foment more resistance out there among people who do not want the establishment of landfill sites in their area, especially when they involve waste from other jurisdictions.

Tonight the Timiskaming municipal association is going to consider a resolution condemning the establishment of this site and I know that the vast majority of municipalities in my area are going to support this resolution to try to stop this site.

I'd like to conclude with the last two paragraphs of a statement I made to Metro council in December last year, when Metro council was considering this as a public sector site. It was addressed to them, but I think today it applies to the government, so I address it to the government:

"I want to leave you today with a warning: If you decide to proceed with this project without incorporating the safeguards that peer reviewers consider necessary, without a full EA and without conducting a referendum in the host region, your project will be met with extreme resistance.

"I believe this project is extremely risky and while there would be tangible short-term economic benefits to our region that we sorely need, the vast majority of our residents believe that the risks outweigh the benefits. I support that view and I will do everything in my power to stop you."

The Acting Speaker: The time for the first ballot item has expired.

1100

PENSION PLANS

Mr Hampton moved private member's notice of motion number 21:

That in the opinion of this House, since workers fund pension plans but have little or no say in how these funds are administered, directed and invested; and

Since pension funds account for about \$360 billion in Canada; and

Since workers need to have a say in how their pension plans are run and how funds are invested to benefit their future;

Therefore the government of Ontario should immediately bring forward legislation amending the Pension

Benefits Act that provides that, wherever a pension plan exists in a workplace, at least one half of the members of any committee or board responsible for the plan and fund administration and investment be representatives of members of the pension plan.

The Acting Speaker (Mr Gilles E. Morin): Pursuant to standing order 96(c)(i), you have 10 minutes to make your presentation.

Mr Howard Hampton (Rainy River): The reason I have brought this resolution forward is because pensions are becoming more and more important, both in terms of the operation of the modern economy and in terms of their importance for workers and their families.

We need only review some of the demographic changes to see how important pension plans have become for workers and their families. Not too long ago it was the custom that people would retire at age 65 and, assuming the longevity of life, that they would need a pension for about 10 or 11 years, until age 75 or 76. That has changed a great deal over the past 10 years or so. First of all, people are now retiring much earlier in their lives, so it is not unusual that someone will retire at age 55. It's not unusual in the unionized sector of the economy and it's not unusual outside the unionized sector of the economy that people will retire much earlier. Secondly, there is all kinds of evidence that people are now living longer, so living until age 80 or beyond is not at all unusual.

This means that the performance of our pension funds and the capacity of our pension funds to look after us after we retire have to be much greater now than in the past because we have people living in retirement for 25 years or more. That speaks to the need for individuals to have a say and have more direct knowledge about how their pension funds are being invested, about what kinds of returns they can expect both in the short term and in the longer term and what sorts of pension benefits they can expect.

The second major change concerns the fact that pension funds are now huge players in our economy and have the capacity to determine major investment decisions and the overall direction. For example, well over a third of all corporate assets in Canada are now controlled by pension funds. In fact, the top 10 pension funds alone control more than \$300 billion, compared to total corporate assets of about \$1 trillion. An excellent example is the Ontario teachers' pension plan, which is worth \$42 billion and alone owns the equivalent in shares of 2% to 3% of the entire Toronto Stock Exchange.

No less a futurist than Peter Drucker notes, "The power of the lender is as great as the power of the owner, sometimes greater, and the shareholdings of pension funds have reached the level where they effectively cannot sell because there are few buyers available who have such huge assets as to be able to own or purchase what is owned by pension funds."

The founder of the German Deutsche Bank, Georg von Siemens, once said, "If one can't sell, then one must take care." In Germany and Japan, where industry is directly integrated into the financial structure of the economy, there is a much tighter relationship between funds and

companies, and funds tend to invest in a achieving long-term results rather than short-term profits.

It seems to me, as pension funds assume a larger and larger role in the operation of our economy, that people who contribute to those funds ought to have greater knowledge and greater say into the kinds of investments that those pension funds make.

There's a third important reason that workers ought to have a say in and greater knowledge of the operation of their pension funds, and it concerns the difference between short-term returns and long-term returns. The fact of the matter is that pension funds have by nature very long-term liabilities. For example, when someone is living in retirement for 25 years, as I said earlier, you want to have a pension fund, a pension plan that is invested so that it can finance that 25-year retirement period. You need to look at the long term in terms of the performance of your investment. What has happened, though, is that a number of pension funds in the past have been invested in ways that return very good short-term returns but not very strong long-term returns. That, over the longer term, hurts the capacity of the pension fund and the capacity of the pensioner.

You've got examples, and some of these are recent, where the Ontario teachers' pension plan was utilized in the takeover by Wallace McCain of Toronto-based Maple Leaf Foods. After McCain took control of the formerly cash-rich company in May 1995, to help pay off the debts he incurred he has axed the entire grocery products division. This may make good short-term sense, but it makes no long-term sense in terms of the operation of that pension fund and the returns to those people who will depend upon that pension fund.

For this reason as well I would advocate that people who belong to a pension fund ought to have an equal say in how that pension fund is invested and ought to be in a position where they have more complete knowledge of what kinds of investments are being made, whether the returns will be short-term, whether the returns will be long-term.

For all these reasons I believe it is important for this resolution to pass. It states very clearly to the government that there is a need now, in view of the changes that have taken place demographically, in terms of how long people are living and how long they're living in retirement, in terms of the changes that have taken place in the economy, that pension funds are now major investors in our economy and can account for major shifts in investments and major shifts in how companies are operated.

Because of the changes that have happened, the resolution calls upon the government to look very carefully at the Pension Benefits Act and bring in amendments following this resolution which speak to the changes that have taken place in terms of demographics, in terms of retirement, in terms of the size of pension funds and the value of their investment in the economy, and finally this question of short-term benefit, long-term benefit, long-term liability.

I hope that members on all sides of the House will consider this issue in terms of its merits, in terms of the changing demographics, in terms of the size of pension

funds and their impact on investments and their impact on companies and will support the resolution.

Mr Ed Doyle (Wentworth East): It's a pleasure to have the opportunity today to comment on this resolution put forward by the member opposite. The resolution we are debating suggests, and I shall quote, "There should be a mandatory requirement on the present voluntary system that wherever such plans exist, at least half of any pension committee in the administration of the plan must represent" members.

While this is a very interesting proposal, a number of questions arise that have to be addressed. With an arrangement such as is suggested by the member opposite, the membership of the plan will have an equal say in all plan decisions, yet it is the employer who will be left with all the risk.

Current private pension benefit plans stipulate the amount of the pension that will be paid to the members based on a formula related to age and years of service, and the employer is responsible for making the contributions. What if there is not enough money in the pension fund to meet its obligations? The employer will have to pay up. Right now employers are exposing themselves to risk, but they're doing so voluntarily. Under this resolution, why would there be a need to make the private system much more complex and perhaps even force employers to wind down such plans, particularly at a time when the future and direction of the Canada pension plan is under debate?

1110

Adopting this resolution and going in this direction would also cause division within and between different members of the organization, especially when it's time to decide who is to be represented on the pension committee. Would it be just the active employees, or would part-time and full-time employees have the same representation? And how about those who are retired or who have terminated their employment and are working with a different employer but are still owed a pension?

It sounds to me like a clear case of making a system that works well into one that becomes more complex to manage. Where is the common sense in this? It doesn't seem to have any.

So many questions arise within this resolution for plans that currently have pension committees. Would they automatically be reconstituted to provide equal representation? Would the employer be able to decide that he or she, or the company, no longer wants a committee to act as administrator, or would they have to get the approval of the new committee?

In the end, the result of this resolution is to make a more complex system that gives members an equal say in all plan decisions, but the employer will be left with all the risk. Why should we institute a format that gives members powers without responsibilities? This is a recipe for forcing private employers out of providing pension benefits.

Presently, employer-sponsored pension plans are established to provide retirement income for employees to ensure that workers can retire and continue to receive some money for the rest of their lives. They have always been

accepted as an efficient and effective way of providing some level of income security for retired members.

As I mentioned earlier, pension plans are presently voluntary. Whether or not a company will have a plan is up to the employer. Where there is a bargaining agent, a pension plan is often negotiated as part of a collective agreement. Where there is no agent, employees frequently ask that plans be established.

If such a plan is established, it presently must comply with the Ontario Pension Benefits Act. The PBA sets out minimum standards with which all plans in Ontario must comply, including eligibility rules for full- and part-time members; vesting and portability rights; survivor benefits in the event of death; early retirement rights; and the information that must be disclosed to plan members. It also sets out numerous reporting requirements for the employer who sponsors the plan.

As mentioned earlier, if we decide to continuously impose too many unnecessary requirements in the PBA, employers who currently provide plans may decide to wind them up. Others may decide to not offer them at all, while others might opt for a non-regulated group RRSP plan. The PBA makes the plan administrator responsible for proper management of the plan. The administrator determines how the money in the fund will be invested, ensures that all benefits are paid, keeps all members properly informed, is responsible for filing all documents with the appropriate regulator, and makes recommendations to the employer about changes to the benefits. A plan administrator may be representative of the employer, a pension committee, an insurance company, or in the case of a multi-employer plan, usually sponsored by a union, a board of trustees is established.

Currently, if there is a pension committee, the PBA says it may be composed of representatives of plan members, but it does not mandate proportions. For most private sector plans administered by pension committees, it is rare to have equal joint representation because virtually all are non-contributory. The employer is solely responsible for the contributions.

I encourage everyone here to vote down this resolution. We as a government are not in the business of making things more complicated and inefficient, and in the end this resolution will not increase benefits for workers. If anything, it may in fact weaken the existing system.

Mr John Gerretsen (Kingston and The Islands): I found the comments made by both the introducer of the resolution and the last speaker very interesting. I would just like to go back to what pension plans are really all about.

I must admit there seems to be some confusion as to how these plans come to be and who has contributed to the plans. It may very well be in certain situations that monetary contributions are made directly by the employer, but in all situations that I'm aware of, it's usually something negotiated between the employer and the employee group. To say it's all the employer's money that goes into these plans is not correct. What we're talking about is a deferred wage or a deferred payment that the employer and the employee group, through negotiations,

have determined shall be put aside for the employee so that once that person retires there's enough money available for that person to maintain a particular lifestyle and to look after them in their retirement.

To me, it seems to be more a situation of just plain old common sense. If it's something freely negotiated between the parties, regardless of who actually puts the money in, shouldn't both of those parties that have negotiated the pension plan have a say in how the pension plan is to be handled? That's really the issue here.

For too long in this country and indeed on this continent, the us-and-them attitude between management and labour ruled the day. I suppose it goes back to the beginnings of our North American way of life. Certainly there seems to be a lack of some of the coherent methods in which management and labour seem to work together in countries like Germany, Japan etc. I think one of the reasons they've been so successful economically over the last 30 or 40 years is that there has been a much closer working relationship between management and labour.

I think a lot of the problems dealing with pension funds stem from that situation. It seems to me that if somebody puts money into a plan — and there are many plans as well, by the way, that employees put money into directly — they ought to have a say in how that's being administered.

We've all heard of those situations, and I've got a number of examples here, where funds have been totally mismanaged by the manager of the fund when it's totally employer-controlled. We all know about the Conrad Black situation relating to Dominion a number of years ago when in effect he tried to grab all the pension funds in Saskatchewan. We also know of contributions that have been made to various political parties by pension plans which I would say the majority of the people involved in the plan or who benefited from the plan did not agree with.

You could go on and on and on, but they don't deal with the real issue. The real issue is, who should have the control over money that has been contributed to a plan, either directly or indirectly, by the employee? It seems to me to make eminent good sense that employees should have a fair say in how those moneys are to be managed.

I know there is reluctance by a lot of people who say that as soon as you have an equal representation of employees and employers in a pension plan or in any kind of situation there's going to be constant strife and you're not going to be able to reach a decision on some important matters as it affects the financial viability of the pension plan, let's say.

It's been my experience that once a person comes on to a particular committee, whether we're talking about pension plans, whether we're talking about the Ontario Housing Corp, with which I was involved for a number of years, whether we're talking about any kind of municipal organization, the people by and large don't leave their personal history behind them; obviously it's part of the package they carry into their new position. But most people in those positions strive to do what is best financially for the organization and, in this case, for the pension plan they're actually involved with.

This notion that if you're going to have an equal number of representatives from the employee groups and the employer groups, therefore you're always going to have strife, is something I don't buy into and I would dare say it's something most Ontarians don't buy into. That may have been the politics and that may have been the thinking of the past, but if we want to be competitive internationally, it's certainly something we have to leave behind. I think most employees and employers involved in these kinds of situations totally understand that.

1120

I would like to pick up on something else that the mover of this resolution said, and that deals with the tremendous size of the pension funds that we're dealing with. I have, for example, a note here that states that well over a third of all the corporate assets in Canada are controlled by pension funds. The top 10 pension funds alone control more than \$300 billion, compared to the total corporate assets of about \$1 trillion. You can see how active a role they play in the economy of this country.

It is further my understanding that the \$42-billion Ontario teacher pension plan alone owns the equivalent in shares of something like 2% to 3% of the entire Toronto Stock Exchange. We are not talking here about small players in our economy, small players in our stock market. They are huge players, they are important and I think they are something the contributors should have a total say over and be completely involved in, whether they're from the management side or whether they're from the employees' side.

I urge the members of this assembly not to look at the potential problems. The member across the aisle talked about certain of the problems that the particular resolution doesn't deal with specifically, and I agree with him that these little difficulties have to be ironed out. But I think what we're dealing with in this resolution is the principle of the situation, and the principle simply is that those who contribute either directly or indirectly to a pension plan surely in this day and age ought to have a say in how that pension plan is to be administered and managed. I urge everyone here to support this resolution.

Mr David Christopherson (Hamilton Centre): I appreciate the opportunity to comment on the member for Rainy River's pension bill of rights. I think Mr Hampton has brought forward a resolution today that would allow the government, at least some of the backbenchers, to say, "We aren't entirely opposed to workers having a say in things that relate to their work life."

We've seen that through legislation things have been changed and we've lost that, and here's an opportunity for some of you on a free vote — it's private members' day here in the House. This hour is ours and here's a chance for you as an individual to say that you're not entirely opposed philosophically to the idea that workers would at least have an equal say in something as important in their lives as the future and the management of their pension plan.

I found it interesting that my colleague from the government back benches, the member for Wentworth East, said — I wrote it down and I'm quoting this — why would you give workers "powers without responsibility"? I think what the government members in particu-

lar need to get over is this idea that somehow workers don't have a vested interest in making sure that their pension plan works for them.

I can't think of a bigger responsibility than one's own future, particularly as it relates to your ability to provide for your family in your retirement years. I would say to the members opposite that that's a greater incentive to make sure the plan works properly than just the bottom line. This idea that somehow workers would be irresponsible because they don't have the dollars on the line philosophically doesn't work, at least certainly not for me and certainly not for Howard Hampton. It doesn't make practical sense because workers have that future that I've just referred to that's their priority.

There's a further benefit to workers that needs to be recognized and I think that's an inherent part of what the member for Rainy River is putting forward; that is, it allows workers an equal say. Let's remember, this is not handing everything over to workers. It's giving them half a say in a fund they're paying for, directly or indirectly, through contributions or deferred wages and benefits in other areas. It allows the workers to have a say in where that money is invested in terms of reinvesting in the local community, reinvesting in related businesses or industries that relate to the work being done. Bear in mind that for the company directors it may not necessarily be their top priority that that particular workplace continue to exist. It may be a greater priority, particularly if it's an international corporation or a national corporation, that its ability to do business somewhere else in Canada is more important than remaining in that particular location.

I don't think that's an unreasonable supposition. I think a lot of corporate directors would think that way, whereas the workers sitting there would have as a top priority maintaining their jobs, maintaining their security, thereby securing the community they live in, and it allows them to look at their community as something they have a greater ownership in and of, rather than just the place where they work.

Their point of view on a given issue or on a given area of investment may vary from time to time, and many times they may agree that in the interest of the health of the corporation an investment ought to go offshore, for instance, or may need to go somewhere else, the United States, but at least the workers would have a say and they would have an equal opportunity to consider what's before them, weighing their priorities against those of perhaps the company. If they meet, terrific, and if they don't, then they can negotiate it, work it through. That is how you democratize the workplace; that is how you give workers a legitimate say in their future.

I sincerely hope that there are a number of government backbenchers who wouldn't follow necessarily whatever line they may be given by the powers that be. Take an opportunity now to show that you are not entirely opposed to the idea that workers have a right to at least half a say in something they pay for, in something they're entitled to and something that directly affects the job they're in now and, most importantly, their own future security. That's what this is.

I again want to compliment my colleague Howard Hampton, the member for Rainy River, for bringing

forward this pension bill of rights, and I urge government members to join with us in supporting the concept that workers have an equal say in the future of their lives and their security.

Mr Tim Hudak (Niagara South): I appreciate the opportunity to rise in the House today to address this resolution. I'd like to also acknowledge the member for Rainy River for bringing forward this topic for debate this morning. Without a doubt, listening to his words and his debate in the House until this day, he's showing dedication to the working people in this province by trying to give them, as the member for Hamilton Centre says, more say in the investment decisions of pension funds.

What I'm going to bring to the discussion today is a certain hesitation on my part and a warning, I guess, that what this resolution, if it passed and became legislation, would do is not increase the rights of workers in pension funds but destroy a lot of pension funds that already exist. I think you'd see a windup of a great many private pension plans and you'd see a real hesitancy on the part of employers to have the kinds of pension funds we do today. I'll get into the debate of why I think that is the case.

I'd also like to salute the member for Wentworth East on his comments. I've had the opportunity to work with Ed Doyle on some committee hearings so far, and I agree with his comments. I think they're well researched and well spoken, and I'll try to add something to his comments.

It's interesting too that the Pension Benefits Act has been out for some time, I think since 1988, and through five years of the NDP power in government, they did not take the opportunity to bring this amendment to that act, perhaps as an indication that maybe when they were in government there was some hesitancy as well to make these changes, or maybe it reflects a new trend in thinking on the left. But I think that even members of the caucus before, between 1990 and 1995, may have shown the hesitancy that I want to express today.

1130

If I could make an analogy, I spent some time discussing the Canada pension plan, especially in my riding, and actually held an open house in Port Colborne with the member for Wentworth East on the topic. There's a great deal of suspicion among the constituents in that area and throughout Ontario about the pension plan, whether the investments in that plan maximize returns, are to the best interests of the individual contributors: every working person in Ontario and in Canada. The reason is that there's suspicion of the politicization of the process. With the Canada pension plan there are contributions made and then there are benefits paid out.

Interjection.

Mr Hudak: The member for Kingston and The Islands also attended one of these hearings and he's up on the topic as well. Whenever contribution rates exceed benefits, there is an investment fund created which will be invested for long-term returns to the contributors.

But the politics come into play because the contribution rates are, in effect, a payroll tax. If the rates get too high, they act as job killers. The current plan that's been released by the federal government said that the rates

may rise as high as 14.2% in the year 2030, and a great deal of concern was expressed about the effect that will have on jobs. The politics come into play where there is always a vulnerability that a politician will say: "We don't want to make this difficult decision today. We'll put it off to future generations." The contribution rates in the history of the Canada pension plan have not been high enough, with the current level of benefits, to make the plan continue on a pay-as-you-go basis. What was expressed in these hearings was a suspicion that politicians said, "We'll put off until tomorrow, the next year, the next generation, the difficult choices." That's not fair to the contributors. That's a particular vulnerability because the CPP process has been politicized.

There are two types of pension plans in Ontario. There are the public sector plans, which are contributory. Both the employer, usually the government, and the individuals, the employees, contribute to the plans. My understanding is that there is a 50-50 representation among the administrators, which makes a certain degree of sense. If there is a deficit, because the plan is contributory, both the employer and the employee groups will increase funds or make the decisions to meet that deficit. This resolution, if it became a bill, for example, I don't think would have an effect on the public sector funds.

But the private sector funds are the issue we should address and to a large extent are not contributory. They're non-contributory, so if a deficit were to exist, the employer would have to increase the contributions to the plan. If a bad decision were made on a board, by an administrator of a fund, and a deficit did occur, then it would be the responsibility of the employer only to increase the contributions to make up for that deficit. As the member for Wentworth East said, that is giving power without responsibility, which this resolution tries to do.

The problem with that is that then a great number of employers who provide pension funds or are considering pension plans in the future are going to say:

"I'm going to be very hesitant about providing this kind of pension fund to my employees. If a bad decision is made, if I have to fund the deficit, if I have the sole responsibility for making up that deficit, why would I get into this fund in the first place? They can use the Canada pension fund, they can do their own private RRSPs. I don't want the business."

That's very dangerous. This trend we've seen to increase pension plans in the workplace would be reversed under this resolution. I'm very hesitant on that basis.

I'll move a little forward too. To address something the member for Hamilton Centre had to say, there seems to be a faith, which is not always shared on this side of the House, among the third party that representatives of unions, for example, and union shops play a white knight role, that they can come to the rescue in any particular situation, at any agency, board and commission, and set everything right. I think to a large part union representatives are very hardworking. Some in my riding, like Rose Bisson and Dave Miscolczi and Dave Van Helvert at Customs at the Peace Bridge, act on behalf of their representatives in the union, but at the same time I don't perceive them as acting as white knights.

Use workers' compensation for an example. We had the 50-50 board. There was a great deal of concern expressed on this side of the House — and we changed it — and among the population that the workers' comp board could not function on a 50-50 basis. Decisions were long in coming. There was politicization there and gridlock as a result. The problem with using the failed workers' comp mechanism in private pension funds is that it's a very serious issue. If there's a gridlock over how funds should be invested, over time as returns accumulate and such at interest rates, it's a great deal of cost to the long-term viability of the plan.

If I could talk about politicization for a second — and some people may disagree with me, but some others will agree — if we look at Ontario Works, for example, there have been some threats in the media I've seen to the United Way. If United Way provides any funds to groups that are supporting workfare, the union reps, the union leaders are using some bullying tactics, saying they'll withdraw funds to the United Way. I think the vast majority of union workers support Ontario Works. They want to see it work in the province and they voted strongly in favour of it. I don't think some of the threats that are being issued are representative in any way of the average union worker. It's a political process.

The danger I would express is that the same political process could come into the management of an investment fund, where a union boss on such a fund could say, "We're not going to invest in such and such a company because we don't like the way they do business," or, "We should protect this particular ideology in business," or, "We should support this trend." It's all well and good for politics, but it doesn't do anything for me in my long-term investment returns. I think the average union worker, the average workplace person in Port Colborne, Fort Erie, Wainfleet, throughout Niagara South, is very concerned about the long-term viability of their pension, to make sure they have strong investment returns when they retire. They don't want their hard-earned savings become part of a political process.

The Acting Speaker (Ms Marilyn Churley): Further debate? The member for Windsor-Sandwich.

Applause.

Mrs Sandra Pupatello (Windsor-Sandwich): Thanks so much. That's support from the member for Kingston and The Islands.

I am happy to speak in support of the bill being brought forward by our NDP colleague this morning. There's some interesting debate going on in terms of what will happen should the bill be passed. Will this government bring it forward in legislation? It's one of those bills that is brought forward because of the kind of subject matter it is. It expresses to government the need to have a look at what this issue really means and the meaning behind this coming forward.

I would admit there have been some fairly ironic instances in our recent history that would say, "Look at the irony of the Ontario teachers' pension plan funding corporations that ultimately, in this last election, were significantly supportive of the Conservative Party." There is a lot of irony there. You wonder if those kinds of happenings aren't pushing a bill like this coming forward

in the House. That is unfortunately the nature of business. If we look at major companies that are being put together, there really is still only one reason why a company does exist, and that is for its profit line.

The ultimate question today, though, is, whose money is it when we talk about pensions? Is it the workers' money or is it the employer's money? The majority of moneys being put into pensions, from what I have seen in my own community, the majority of dollars are brought forward through a bargaining process on what a worker will earn when he's working or she's working with an employer. When that is bargained, and pensions too are bargained like most other things, it's a wage; it is the worker's money that is being put into the fund. In that regard, shouldn't the worker have some control over what that pension plan will do?

The member opposite just used United Way as the example, and the United Way is the best example of why unions should be very involved in what happens with employers through a United Way campaign. In my own community we have truly equal representation from employee groups and employer groups, from business and management and unions. In our city, in our county, our unions are significantly involved in working with management teams to ensure a significant, successful campaign.

The idea that employers are out not to fund pensions if they can help it or to do something other than what's in the best interests of workers is probably going too far the other way. I have rarely met an employer who isn't interested in ensuring that pension plans will always be there for their employees. Unfortunately, they don't always control the dynamics of the economy and there have been many examples, such as those brought up by the member today introducing the bill, some really difficult circumstances, some instances where business people have simply used that pension plan as a significant little cache to go off and make other purchases and then make significant restructuring within a company that ultimately leads to massive layoffs.

1140

I think those examples were brought forward this morning. Unfortunately there is an irony there. If it truly is the workers' money, how ironic then that it is the workers ultimately who lose their jobs, whether it's through a move to another country or whatever.

We come back to the real question of whose money it is. An employer, I think, wants to feel proud that he can offer his or her employees a pension in most cases. In the huge amounts of money that have been mentioned already, the kind of money generated in some of these pension plans, millions upon millions of dollars, the majority of that money is bargained for. That pension plan is a bargained pension plan and is part and parcel of a compensation for work.

I feel that workers should have a say in what happens to that. Whether that say should be a full 50% may be up for further debate, but that they shouldn't be allowed to sit at the table and discuss what's going to happen with the pension plan is probably unreasonable. There's no question that workers sitting around a table looking at a much larger number of retirees than ever before, a

significant aging of the population where we'll have more and more people who are retired living longer and very dependent on those pension plans means that those pensions need to be secure. When you have people who are directly benefiting from the security of that pension and those people helping to make the decisions that will ensure the viability of the pension plan, there is absolutely no reason why those people should not be sitting at the table and assisting in that kind of decision-making.

We hope the government will have a look at this issue. I hope this member's bill this morning will allow this government to come forward and say, "Maybe we can address this." Whether they will come forward and specifically ensure that at least one half of the members of any committee or board responsible for the plan and fund administration be representative of members of the pension plan — maybe it's not 50%, but I think it would go a long way to ensuring that employers and employees can sit together to decide the future that ultimately will be the safety of pensioners in Ontario.

I support the bill and I hope that all the members in the House today will.

Mr Tony Martin (Sault Ste Marie): I also rise today very happy to participate in the debate and to congratulate the member for Rainy River, Howard Hampton, for bringing it forward because he allows us in this place at this time to focus on an issue that is fundamental to the future of this province.

He presents to us an opportunity to participate in a decision that could contribute in a very positive way to a more focused and direct attack on a challenge that we all face in Ontario today, which is how we develop an economy that's going to work for us, that's going to be in our best interests and that will hold us in good stead as we move into the next century and as we deal with the winds that come at us as we more and more realize the impact of the global economy that we're in.

Certainly there are, in my mind, more things today re this issue that we should be agreeing on than disagreeing on. I don't think there's anybody in this place who doesn't agree that over the last five to 10, even 15 years in this province we've been challenged by a lack of capital to invest in the things that we know are good ideas. To create wealth, to provide jobs and to contribute positively to the economy that we all depend on to maintain the quality of life that we've all come to appreciate and want to maintain in this province, there's a need for capital.

We also, I think, agree that everybody needs to be involved in whatever way that is able to be realized. Not only is it not feasible or even intelligent any more that a small group of people be the only ones investing capital, investing their resources in the future of this province; we all need to be, in the ways that are made available to us, taking whatever resources we have and maximizing the potential so that investment can return rewards that can be shared by everybody in the jurisdiction of Ontario. So I think we agree. We agree that we need some capital, that there's a lack of capital, and we agree that everybody should be involved in contributing, because we all have access to — in some small way; some people, in some

larger way — resources that we can put in so that collectively we can all gain.

As we look at the reality today and the pools of capital that are out there and the fact that more and more they're controlled by forces outside of our influence, I think it's important that we try to figure out which ones we can still have influence over. Certainly, nobody would disagree that pension funds are substantial and we have still some control over where they're spent and how they're invested. What we're suggesting today is that we extend the role of all of us in the decision-making around where those funds are invested because the impact on all of us directly and substantially will have a tremendous impact on where we go as a people together, concerned about the future economy of this province and how it will evolve.

I want to just very briefly speak for a moment about the contribution that workers can make to the decision-making around where these funds are invested and how they're managed. What they bring to the table is their own experience, their own commonsense approach to managing money in their own lives and the need for any capital to concern themselves about the impact that they have on the communities within which they live and to which they want to contribute.

In Sault Ste Marie, for example, we were faced in the early 1990s with a major challenge, a major dilemma. Algoma Steel was in trouble and the major investor was pulling out, and what were we going to do? The government of the day decided that it would bring to the table all of the players, including the union in that instance. Today we have a corporation that was on the rocks no less than five years ago out there leading the way in the steel industry, making profits like it's never made before and contributing to the life of Sault Ste Marie and I dare say this province in ways that none of us, I think, would have imagined in 1990 and 1991 as we went through those very difficult times.

So I say to you today that you should consider very seriously allowing a greater contribution by those who contribute directly to this fund in the decisions around where it will be invested because it's important that we have somebody at that table who understands the need of the people and the communities of Ontario for investment in the resources that they see around them to generate wealth and to create opportunity. Who any better able to do that than the workers themselves?

Just look for a second at the contribution the organized labour movement has made to the quality of life of this province over the last 30, 40, 50 years. Nobody can deny that. Most of us here are here today because of the education system and the health care system and the opportunity that our forefathers had to participate in the economy and to make a half-decent living so that we could buy things and by that way stimulate the economy as well.

If we look at the contribution that the labour movement made in the specific instance of my own community, the restructuring of Algoma Steel, and if you go back even a little further, the development of the Group Health Centre in Sault Ste Marie, how progressive and thoughtful and intelligent that contribution was.

I don't think you can for a minute underestimate or not stand and support the resolution this morning put in front of you by the member for Rainy River, the member of my political party and caucus in this place, Howard Hampton.

Mr Bruce Crozier (Essex South): In the moments remaining, I too would like to add my support to this resolution, as the member for Rainy River has put it forward. I want to add to the comments of my colleague from Windsor-Sandwich, that maybe it isn't necessary that 50% be employees, but because it means so much to the future of any individuals to their retirement future and it means so much to them, that employees in organized situations or in companies that provide pension plans in an unorganized employee environment have the opportunity to discuss those important issues regarding the pension.

1150

Mr Len Wood (Cochrane North): It's a pleasure to get up today and support the resolution brought forward by Howard Hampton, the member for Rainy River, on equal representation on pension plan administration and investment.

I believe this resolution is very important at this time in our history because, as we know, we're talking about big dollars. We're not talking about a few million dollars; we're talking about up to \$360 billion sitting out there. Howard Hampton, with the NDP caucus, is very much concerned that this money is invested properly and on behalf of workers, and that the workers have a say in it.

I just want to give a little bit of history. In my home town, Kapuskasing, we had Kimberly-Clark and New York Times, who owned a paper mill and a pulp mill. They decided in 1983 that they were going to start to dismantle the mill and close it down. In 1987 they shut down the sawmill; in 1983 they had shut down the Kleenex mill; in 1989 they decided they were going to shut down the number one paper machine. As a result of the Canadian Communication, Energy and Paperworkers Union coming forward and being the driving force, they decided they were going to meet with our NDP government at the time — we're talking about five years ago now — and they were going to take over the mill. They have 59% shares in the mill.

When Howard Hampton says the government should bring in legislation of this kind, it's happening in Kapuskasing with the employee ownership. At the last negotiations, when union representatives sitting on the board of directors and on the pension plan found out that Kimberly-Clark and New York Times had left them with a shortfall of over \$28 million, they decided, "At the bargaining table we'll defer some more of our wages into this so the pension plan stays active and is going to cover all of the pensioners out there, a future generation of pensioners coming along."

There is cooperation and there is worker involvement in some places. In Sault Ste Marie they're involved in Algoma Steel. As I said, in Spruce Falls Inc in Kapuskasing, in partnership with Tembec, the union was the driving force. Had they not been, both the Conservative and Liberal governments during the 1980s would have allowed this company to shut down, and you would have

ended up with a ghost town in Kapuskasing. We were fortunate at that time. We pulled all of the stakeholders together. The chamber of commerce was involved at first, but it took the driving force of the workers themselves saying: "Pension plans are a deferred wage. Our wages would be a lot higher if it were not for the company controlling a pension plan." As a result, they have a lot of say and control over what is happening and they should have a 50% share on the board of directors.

I'm happy that Howard Hampton, the member for Rainy River, has brought this resolution forward and I will be supporting it.

The Acting Speaker: The member for Rainy River has two minutes to sum up.

Mr Hampton: I want to use this time to address some comments made by members in the debate on the resolution. One member opposite said that somehow having workers with equal representation on pension fund committees would result in the politicization of those decisions. The member should read the Pension Benefits Act, because the act sets out clearly the legal duties of anyone who works on or makes decisions with respect to the investment of pensions.

It applies equally to worker representatives, to retiree representatives or to professional administrators. It requires them always to act in the best financial interest of the fund. They incur great legal liability if they act in any other way or for any other purpose. In fact, it probably imposes the highest duty that the law knows, a fiduciary duty, to act in the utmost best interest of the fund. For those members of the Conservative Party who think that somehow allowing workers to have a say in something that is vitally important to them and vitally important to their quality of life when they retire will result in the politicization of all kinds of decisions, that is without any legal merit and, moreover, without any factual merit.

The point is simply this: The demographics of Ontario, the demographics of Canada are changing. People retire earlier and they live longer after they retire, which means that their pension funds are becoming more and more important in terms of the returns. Secondly, pension funds are becoming huge investors in our economy. For those reasons it makes sense that workers have some say in those investments and in those returns.

IMPORTATION OF WASTE STATUTE LAW AMENDMENT ACT, 1996

LOI DE 1996 MODIFIANT DES LOIS EN CE QUI CONCERNE LE TRANSFERT DE DÉCHETS

The Acting Speaker (Ms Marilyn Churley): We will first deal with ballot item number 35 standing in the name of Mr Ramsay. If any members are opposed to the vote on this ballot item, will they please rise.

Mr Ramsay has moved second reading of Bill 56, An Act to amend the Environmental Protection Act and the Waste Management Act, 1992 with respect to the Importation of Waste from one municipality into another. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."
 All those opposed will please say "nay."
 In my opinion, the nays have it.

PENSION PLANS

The Acting Speaker (Ms Marilyn Churley): We will deal now with ballot item number 36.

Mr Hampton has moved private member's resolution number 21. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."
 All those opposed will please say "nay."
 In my opinion, the nays have it.

Call in the members; a five-minute bell.

The division bells rang from 1158 to 1203.

IMPORTATION OF WASTE STATUTE LAW AMENDMENT ACT, 1996

LOI DE 1996 MODIFIANT DES LOIS EN CE QUI CONCERNE LE TRANSFERT DE DÉCHETS

The Acting Speaker (Ms Marilyn Churley): Mr Ramsay has moved second reading of Bill 56. All those in favour of the motion will please rise and remain standing until recognized by the Clerk.

Ayes

Boyd, Marion	Gerretsen, John	Laughren, Floyd
Bradley, James J.	Grandmaître, Bernard	Martin, Tony
Caplan, Elinor	Hampton, Howard	McGuinty, Dalton
Christopherson, David	Kennedy, Gerard	Pupatello, Sandra
Colle, Mike	Kormos, Peter	Ramsay, David
Cooke, David S.	Kwinter, Monte	Ruprecht, Tony
Crozier, Bruce	Lalonde, Jean-Marc	Sergio, Mario
Duncan, Dwight	Lankin, Frances	Wood, Len

The Acting Speaker: All those opposed to the motion will please rise.

Nays

Arnott, Ted	Grimmett, Bill	Rollins, E.J. Douglas
Baird, John R.	Guzzo, Garry J.	Sampson, Rob
Barrett, Toby	Hastings, John	Shea, Derwyn
Bassett, Isabel	Hudak, Tim	Sheehan, Frank
Beaubien, Marcel	Johnson, Ron	Skarica, Toni
Chudleigh, Ted	Jordan, Leo	Smith, Bruce
Danford, Harry	Leadston, Gary L.	Stewart, R. Gary
DeFaria, Carl	Martiniuk, Gerry	Tilson, David
Doyle, Ed	Maves, Bart	Turnbull, David
Ford, Douglas B.	Munro, Julia	Vankoughnet, Bill
Fox, Gary	Murdoch, Bill	Wettlaufer, Wayne
Froese, Tom	Ouellette, Jerry J.	Wood, Bob
Galt, Doug	Pettit, Trevor	Young, Terence H.
Gilchrist, Steve	Preston, Peter	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 24; the nays are 41.

The Acting Speaker: I declare the motion lost.

Before I move to the second order I will cause the doors to open for 30 seconds.

PENSION PLANS

The Acting Speaker (Ms Marilyn Churley): Mr Hampton has moved private member's notice of motion number 21. All those in favour of the motion will please rise and remain standing until recognized by the Clerk.

Ayes

Boyd, Marion	Grandmaître, Bernard	Martin, Tony
Bradley, James J.	Hampton, Howard	McGuinty, Dalton
Christopherson, David	Kennedy, Gerard	Pupatello, Sandra
Colle, Mike	Kormos, Peter	Ramsay, David
Cooke, David S.	Kwinter, Monte	Ruprecht, Tony
Crozier, Bruce	Lalonde, Jean-Marc	Sergio, Mario
Duncan, Dwight	Lankin, Frances	Wildman, Bud
Gerretsen, John	Laughren, Floyd	Wood, Len

The Acting Speaker: All those opposed will please stand and remain standing until recognized by the Clerk.

Nays

Arnott, Ted	Grimmett, Bill	Rollins, E.J. Douglas
Baird, John R.	Guzzo, Garry J.	Sampson, Rob
Barrett, Toby	Hastings, John	Shea, Derwyn
Bassett, Isabel	Hudak, Tim	Sheehan, Frank
Beaubien, Marcel	Johnson, Ron	Skarica, Toni
Chudleigh, Ted	Jordan, Leo	Smith, Bruce
Danford, Harry	Leadston, Gary L.	Stewart, R. Gary
DeFaria, Carl	Martiniuk, Gerry	Tilson, David
Doyle, Ed	Maves, Bart	Turnbull, David
Ford, Douglas B.	Munro, Julia	Vankoughnet, Bill
Fox, Gary	Murdoch, Bill	Wettlaufer, Wayne
Froese, Tom	Ouellette, Jerry J.	Wood, Bob
Galt, Doug	Pettit, Trevor	Young, Terence H.
Gilchrist, Steve	Preston, Peter	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 24; the nays are 41.

The Acting Speaker: I declare the motion lost.

All matters relating to private members' public business having been completed for today, I do now leave the chair and the House will resume at 1:30 pm.

The House recessed from 1210 to 1330.

MEMBERS' STATEMENTS

PHYSICIAN SHORTAGE

Mrs Sandra Pupatello (Windsor-Sandwich): We have been urging the Ministry of Health to have a very good look at Essex county in the area of doctor shortages. As you know, this has been a pressing issue for some time. I would like to direct my comments to all members of the House, in particular to the member for Lincoln, the chairman of the Red Tape Review Commission.

As you know, we were directed by the minister to submit information, and a package needed to be filled in on underserved areas. We received our response from that submission and we were told that yes, you must fill in these details in order to get your designation:

"Should municipalities and/or townships wish to work together to address these issues and combine their efforts in applying for designation, each municipality and township must pass a resolution that they want to be considered together and that they will not be applying for designation on their own."

It goes on to list the various levels of bureaucracy that we must overcome in order to be designated an underserved area.

We have some 40,000 people in Essex county who cannot access a family doctor. I would submit to the member for Lincoln that this is red tape at its finest. What were all those presentations we had last week of the Red Tape Review Commission report? They have done absolutely no good in terms of what is really needed in communities across Ontario. In the case of Essex county, and certainly in Windsor and LaSalle, we don't have enough doctors.

CHILD POVERTY

Mrs Marion Boyd (London Centre): We in Canada were very proud in 1992, when the United Nations ranked Canada as average or above average in most areas as one of the best places in the world to live. This week the UN handed out its report card on the state of the world's children, and Canada was found not to be a great place for children.

"Canada has the second-highest number of poor children among 18 industrialized countries, with more than one in seven living in poverty. The United States has the most," the model that this government wants to follow.

"Canada ranks 24th out of 34 countries for suicide among young females; 22nd for suicide among young males. The rate for females is six per 100,000, for men it's 24.7 per 100,000.

"Canada ranks 22nd out of 44 countries in births to teenage mothers with 27 births per 1,000 females. The US record is 64 per 1,000; Japan has the least at four per 1,000."

As the report points out, this is not the worst news, because when it comes to aboriginal children, their problems are by far greater. The suicide rate, for example, is seven times that of the high rate that we have for other children in this country.

As we do our work in this place, let us remember that Canada is not a great place for kids, but we can make it so.

NEILL-WYCIK COLLEGE-HOTEL

Mr Douglas B. Ford (Etobicoke-Humber): I had the pleasure recently of visiting a business operation in Toronto that stands as a proud example of how young people are able to manage a successful business enterprise in Ontario.

In the heart of this city is a facility called Neill-Wycik College-Hotel. This building operates as a residence during the school year, housing 800 students from Ryerson, George Brown and the University of Toronto. In the summer months Neill-Wycik operates as a successful budget hotel, last year providing accommodation for over 24,000 guests.

Most impressive about this facility has been its ability to consistently operate with excellent profits without assistance of any government grants. I understand from the Neill-Wycik hotel desk supervisor, Michelle Walker, that last year combined revenue from student residents and the summer hotel operations totalled \$3.5 million. This enabled the hotel to make over \$1,600,000 in building upgrades while still finishing with a significant profit. This is truly an example of what our young business minds are capable of today.

I congratulate the students and staff of Neill-Wycik College-Hotel on its 26th year of operation in our province.

PHYSICIAN SHORTAGE

Mrs Elinor Caplan (Oriole): Today the Minister of Health released his plan to encourage physicians to work in underserved communities. While this is a positive first step, my colleagues and I in the Liberal caucus have a number of concerns.

We believe that alternatives to fee-for-service payment plans are a positive initiative. However, we wonder why the minister is moving so slowly to support alternative funding and alternative payment plans which allow communities to develop solutions that will work for them.

Unfortunately, the plan outlined by the minister today only addresses a very small percentage of Ontario underserved communities: those under 10,000 population. There are underserved communities which need action and assistance now, and I ask the minister what these communities are supposed to do.

The Professional Association of Interns and Residents of Ontario released a report in April this year. They have not had any communication with the minister until today, no consultation whatever since they released their report, and they have raised a number of concerns about today's announcement. Among their concerns: no new provisions for specialist backup, no changes in locum support and no new news regarding educational opportunities in northern and rural Ontario.

While this initiative is only a first step we, the Liberal caucus and other groups, including PAIRO, believe that this support is a piecemeal approach and is only part of an answer of serious maldistribution. The people in Ontario's underserved communities, both large and small, deserve access to the health care they need. We call on the government to announce a comprehensive plan to ensure services are available in underserved communities in Ontario.

FOREST MANAGEMENT

Mr Gilles Pouliot (Lake Nipigon): It appears that the Ministry of Natural Resources, along with the Ministry of Environment and Energy, is conspiring to deny traditional and local users reasonable access to public lakes and the use of publicly funded roads.

I refer specifically to this government's practices regarding the Black River forest management plan. MNR is simply denying right of passage of taxpaying members of my riding and taxpaying members of my community. I'm greatly concerned that this government is establishing

an unfriendly environment when tourists from outside jurisdictions, mainly Americans, have more rights than our own Ontarians and our own citizens.

Under the plan you're simply, and I'm addressing the government with respect, cheating local residents out of fulfilling their inherited right to full access to these resources. Instead, this is what is being proposed. You are looking at us as exploiters and at the same time looking at American tourists as saviours of our resources.

Let's restore the playing field. We helped to build this country to what it is today. It's only natural and commonsensical that we should have at least equal access to our own resources.

1340

LIQUOR LICENSING

Mr Derwyn Shea (High Park-Swansea): To give improved protection to neighbourhoods that find themselves victimized by operators of licensed premises that consistently violate the letter or spirit of the Liquor Licence Act, I rise today to call upon the Minister of Consumer and Commercial Relations to amend the Liquor Licence Act to give effect to enhancing community protection and empowerment.

Specifically, I call upon the minister to consider the introduction of amending legislation that would give the liquor licence board or minister the authority to preclude site-specifically the granting of any liquor licence for two years at any location where a licence has been revoked and where strong community support for such action is evidenced through public hearings; and further, that no licence subject to a revocation hearing be permitted to be transferred to any other individual or corporation until the hearing process has been completed and the local community has been given an opportunity to make interventions; and further, that should the LLBO revocation tribunal revoke a licence, it be authorized to also give consideration to salting the earth so that the property in question be sterilized in such a way as to preclude the granting of any licence to that location for two years and that the licensee be prohibited from applying for a liquor licence for a similar period.

HOSPITAL FINANCING

Mr James J. Bradley (St Catharines): This week St Catharines General Hospital announced that it is laying off an unprecedented 20% of its workforce; 220 hardworking women and men will have to pay the price of a funding shortfall from the provincial government. In fact, the Progressive Conservative government of Mike Harris has slashed \$9 million in funding over the next three years from the General, the stiffest cut to any hospital in the Niagara region.

While the administration of hospitals across the province will contend publicly that these substantial reductions in staff levels will not affect the level and quality of care for patients, no one can come to the conclusion that a cut in the staffing level will result in anything less than a lowering of the level of service that a hospital can provide. Ask those who have been patients in hospitals in recent months whether the level of care

that staff are able to provide is as good as it was 10 years ago and almost invariably the answer will be negative.

What the Harris government has been most successful at is the art of intimidation. Institutions and organizations that have been cut off at the knees by drastic cuts in health care funding have been silenced all too often by the implied threat that the hospital will be cut even further or closed. This is ill-treatment of our hospitals by the Harris government and a breaking of its promise on health care.

WORKFARE

Mr Peter Kormos (Welland-Thorold): You may have noticed, Speaker, that Niagara region was graced, if you can call it that, with the presence of David Tsubouchi, the Minister of Community and Social Services, yesterday, where he received a most unpleasant welcome because he came with the most unpleasant news, his announcement of so-called workfare.

The folks down in Niagara region are mad as hell because, you see, they don't want workfare, they want jobs. They don't want welfare, they want real work with real pay, where they can participate in the economy of their communities.

Workfare isn't a novel concept down in Niagara region because way back in the last recession it was Mitch Hepburn's hussars who came down to Crowland to force relief recipients to dig ditches at gunpoint during the Crowland sewer strike. Folks down in Niagara can't be fooled by this government and by its attack on working people and its attack on jobs. Folks down in Niagara, where you've got double-digit unemployment growing every day as we witness layoff after layoff, pink slip after pink slip in the public sector, and yes, as this government undermines the economy of this province in the private sector — the folks in Niagara are saying thanks but no thanks to Mike Harris and the Tories.

The people in Niagara want jobs, they want an economy that's growing. To paraphrase the famous country and western singer Johnny Paycheck, "Take your workfare and shove it."

AGRIBUSINESS PARK

Mr Doug Galt (Northumberland): In Northumberland, a local company, Norag Resources, is set to turn part of the Ontario Hydro land at Wesleyville into an agribusiness park to serve farm operations in central and eastern Ontario. The agribusiness park is a first for eastern Ontario and could serve producers from as far east as the Ottawa Valley. It is initially expected to create 10 new full-time jobs, with a promise for many more in the future.

Norag's principal members are Ben Curelli of the Canton area, owner of Gananasqua Grain, and Paul Wilson of Port Hope, owner of Strictly Business Computers. Bob Clarke of Clarke Consulting Services in Cobourg is a project manager for the Wesleyville plan.

The company has arranged a long-term lease for about seven hectares of land on the Wesleyville site. The project's first confirmed tenant is Agrico Canada. Other con-

firmed tenants include an agricultural processing facility and a grain terminal.

This new agribusiness park will benefit many local farmers who are now forced to send their products west of Toronto for processing. The Wesleyville operation will save them a substantial amount of time and money with reduced transportation costs and travel.

Northumberland is a major agricultural community and it has reached the stage where it needs its own centralized agricultural facilities.

I am confident that the policies of this government by making Ontario a more attractive place to set up new businesses — that my riding will see many new ventures and investments in the future.

VISITORS

The Acting Speaker (Mr Gilles E. Morin): I would like to inform the members of the Legislative Assembly that we have in the Speaker's gallery today the consuls generals of Brazil, Finland, Greece, Hungary, Korea, Malta, and Trinidad and Tobago. Please join me in welcoming our guests.

STATEMENTS BY THE MINISTRY AND RESPONSES

ENVIRONMENTAL ASSESSMENT

Hon Brenda Elliott (Minister of Environment and Energy): This government is committed to environmental assessment as a way to safeguard Ontario's environment and natural resources. As the honourable members know, it was a Progressive Conservative government that created the Environmental Assessment Act.

That was 1975. Now, 20 years later, it's clear that environmental assessment needs to be modernized, be made more accessible to everyone early on and be re-focused on strong environmental protection.

Over the years we've seen too many projects, especially waste management projects, get sidetracked on open-ended procedural wrangling with no tangible environmental benefits.

Previous governments promised change and delivered on a series of administrative reforms. They failed to carry through with legislative reforms to solve problems with the EA process. Their efforts, however, provided a framework for the long-overdue reforms that I am announcing today.

We are capitalizing on that 20 years of experience here in Ontario and updating the act to make it less costly, more timely and more effective.

Environmental protection remains the overriding objective of the act.

The public's right to a say early on in the process will be for the first time enshrined in legislation.

A full environmental assessment will still be required and the key elements of the environmental assessment are maintained, including the broad definition of the environment, the examination of alternatives, the role of the

Environmental Assessment Board as an independent decision-maker.

These amendments will ensure high-quality environmental protection while making it easier for people to participate in the decision-making process.

This is great news for the environment.

Our proposals focus on four areas.

Public access: Right at the earlier stages of the process there will be a guarantee of public consultation for all affected parties. This will ensure that issues are identified and resolved early on.

Upfront and clear direction to all stakeholders will be detailed in terms of reference prepared by the proponents. These terms of reference, approved by the minister, will become the benchmarks for preparing and evaluating the environmental assessment and will be legally binding.

Time lines: Time lines will be established at the front end for all the key steps in decision-making processes. These time lines will benefit all stakeholders, provide more certainty and ensure the proponents can get decisions in a timely fashion. Deadlines will also be imposed on hearings before the Environmental Assessment Board. New powers will be given to the minister to ensure that a mediation process is in place to resolve disputes early on in the process.

We will harmonize Ontario's environmental assessment process with federal legislation to ensure that one project undergoes one assessment.

When environmental assessment was introduced over 20 years ago, it had the unanimous support of all parties. I believe that previous governments, like ours, know that the process needs to be fixed and I call on them to support these reforms as they proceed through the Legislature.

These amendments announced today will help us deliver better environmental protection through a process that is more timely, more certain and more accessible to everyone.

1350

ALCOHOL AND GAMING INITIATIVES

Hon Norman W. Sterling (Minister of Consumer and Commercial Relations): Last month, the Minister of Finance announced in the budget our plans to establish charity gaming halls and introduce video lotteries in Ontario. These gaming initiatives will bring broad economic benefits to the people of Ontario by increasing the flow of funds to charities across the province and by assisting the racing and hospitality industries to compete and grow.

We are determined to accomplish these initiatives in a measured and controlled fashion. Later today, on behalf of my ministry and that of my colleague the Minister of Economic Development, Trade and Tourism, I will be tabling legislation to ensure our objectives are met.

As the finance minister said last month, we are committed to the establishment of a tightly regulated, government-controlled network of video lotteries for a number of reasons. An important one is countering illegal gaming activity and imposing some needed discipline and control in Ontario's gaming marketplace. We also believe that

these lottery machines, if implemented within tight regulatory controls and in limited access environments, can meet a legitimate entertainment demand and provide a significant stimulus to the racing and hospitality industries.

Legislative changes are necessary to establish clear guidelines and implement the gaming initiatives. The use of existing legislation would result in needless duplication, for example, in matters of enforcement. The legislation I will be introducing today therefore will merge two existing regulatory bodies and amend acts to achieve these tightly regulated, government-controlled initiatives. I will be tabling legislation that will merge the Liquor Licence Board of Ontario and the Ontario Gaming Control Commission. Certain regulatory functions of the Liquor Control Board of Ontario will be transferred to this new organization, which will be known as the Alcohol and Gaming Commission of Ontario.

The merger will amalgamate licensing functions into a single agency, remove a potential conflict of interest with the LCBO acting both as the regulator and the retailer of alcohol, and allow a more flexible and efficient use of staff resources to strengthen enforcement measures for both gaming and liquor act requirements. This merger supports other initiatives by us to cut red tape, eliminate duplication and improve efficiencies within government, its agencies, boards and commissions.

At the same time, I will be introducing legislation to amend the Liquor Licence Act, the Ontario Gaming Control Act and the Ontario Lottery Corporations Act.

The Liquor Licence Act will be amended to permit the revocation or suspension of a liquor licence when the licence holder or employee allows a person under the age of 19 years to play VLs or to be in an area restricted to video lottery players. The prohibition regarding non-access to video lottery areas will not apply to servers, who will be able to enter these areas for the purposes of employment.

The Gaming Control Act will be amended to require all suppliers of video lotteries to register with the Alcohol and Gaming Commission of Ontario.

The Ontario Lottery Corporation Act will be amended to make the Ontario Lottery Corp responsible for video lotteries under regulations of the Alcohol and Gaming Commission of Ontario. The act will restrict access to areas designated for video lottery players and will prohibit play by persons under the age of 19 years.

At the same time, being a first-time initiative, the method used to introduce video lotteries across the province is complex and new to much of the industry and the Ontario Lottery Corp. Therefore, consistent with our objectives, the government will be retaining external expertise to advise on the best implementation of options for video lotteries. This advice will ensure that the ultimate implementation of video lotteries, including the degree of private and public sector involvement, is based on sound business principles.

I will be tabling a housekeeping amendment to the Ontario Casino Corporation Act which will allow the net revenues from Casino Rama near Orillia, which will open later this summer, to flow directly to the first nations' fund rather than through the government's consolidated

revenue fund. This will facilitate our commitment to the creation of a fund that will benefit all members of the first nations.

Finally, at the request of Mr Derwyn Shea, one of our members, I will be proposing an amendment to the Liquor Licence Act limiting further applications for liquor sales licences for up to a two-year period at problem premises where ongoing infractions have had a negative impact on local communities.

Overall, these new pieces of legislation establish a framework for the gaming initiatives set out in the May 7 budget.

Interjections.

The Acting Speaker (Mr Gilles E. Morin): Order. There'll be a time for response, if you want to wait until you have your turn.

Hon Mr Sterling: We believe this single regulatory focus through the creation of the Alcohol and Gaming Commission of Ontario, tough restrictions on underage gambling and measured introduction of video lotteries will enable us to achieve our objectives: increased revenues for charitable organizations and assistance to the hospitality and racing industries. In addition, we are developing a comprehensive strategy of research, public awareness and treatment to deal with problem gambling. We have committed 2% of all VL revenues towards this program.

Combined, we are confident that our tightly controlled gaming initiatives will result in significant long-term economic benefits for the people of Ontario.

ENVIRONMENTAL ASSESSMENT

Mr Dalton McGuinty (Ottawa South): I will respond to the Minister of Environment and Energy's statement today on behalf of the official opposition.

There's no doubt that the minister's attempting to address a problem we've had in the province for some time now. There are too many hearings under the Environmental Assessment Act which are taking too long, are too expensive and are too uncertain in terms of their outcome. There's simply not enough predictability. Any attempt to address this problem, however, must be carefully weighed against the need to ensure that we have full public hearings and due process and that none of this procedural reform, which is essentially what we're talking about here today, comes at the expense of the environment. Here are some of my concerns.

First of all — and this was a great surprise to me — there is no principle enshrined in this new bill, and that is the principle espoused by the government while in opposition which says that no community that is unwilling to do so will be obligated to take another community's garbage. That is not found in this bill. That was the subject of considerable debate during the last government and it was the subject of numerous promises made by government members during the course of the last election.

To be more specific, on December 4, 1990, in this House there was an opposition day motion, and in part it read as follows, "This House therefore calls upon the Minister of the Environment to provide that...no region

can transport its waste to another municipality in the province without a resolution of the recipient municipality indicating that it is a 'willing host' for such waste...." That motion was supported by the now minister responsible for women's issues, the now Deputy Premier, the now Attorney General, the now minister without portfolio responsible for workers' compensation, the now Solicitor General and the now Minister of Consumer and Commercial Relations. That was then, obviously.

Practically speaking, it means that this government has retained unto itself the authority to put a dump in a community where there are clearly objections on the part of that community to receiving it.

The other thing I want to draw as a concern is that the new law is going to place a significant burden on the environmental assessment branch staff. Their workload is going to increase dramatically. How are they going to be able to accomplish this, how are they going to be able to accommodate this when staffing to the ministry has been reduced overall by 50%?

1400

ALCOHOL AND GAMING INITIATIVES

Mr Gerard Kennedy (York South): In the announcement by the Minister of Consumer and Commercial Relations we see again this government trying to dodge a moral decision, expanding the amount of sanctioned gambling in this province, choosing the form that's the most insidious, the most addictive, which the task force in Manitoba does indeed call crack cocaine, and for what reason? As backfill for a failed Comic Book Revolution in which financial targets are made on the back of a napkin and which aren't holding up; millions of dollars going to be pulled out. You can't salve your conscience with a 2% cutback, just as you can't salve hungry children by providing breakfast programs after you've taken money off the dinner table. Why isn't there a referendum on this taking place if there's going to be one on casinos?

If you look at the VLT decision announced here today, not only is it the moral bankruptcy of this government but it's a metaphor for a government that would have a machine that does nothing, that employs nobody, taking money away from people who are already made desperate by the other measures of this government.

What we want to see from this government is some recognition that this has to be decided by the people of the province and to put this legislation aside for a referendum in concurrence with that on casinos. We would appeal to the consumers in this province not to be fooled by yet another measure coming from the Comic Book Revolution to try and shift the burden where it doesn't belong, which is on people who are already suffering in this province.

Mr James J. Bradley (St Catharines): This announcement, of course, is extremely bad news for the people of this province, but in particular the most vulnerable and desperate people who will be the victims of these video lottery machines. I'm sure there are many members of the Conservative caucus who are adamantly opposed to the introduction of these machines.

The ramifications for this province are tremendous. Those people who are addicted to gambling are going to be faced now with an escalation in the form of gambling that you are allowing. They are going to have the most insidious form of gambling presented to them. Young people are going to be attracted to these machines. People who could be spending their money on other things that would be productive, would be helpful to their families, are going to easily have access in bars across the province of Ontario, often when they are intoxicated, to these machines. Shame on this government for what you're doing to the most vulnerable people in our society today.

ENVIRONMENTAL ASSESSMENT

Ms Marilyn Churley (Riverdale): We all should acknowledge, and do, that reform of Ontario's Environmental Assessment Act is an appropriate course of action. During my party's time in government, we were able to make improvements, particularly in cutting down on the times involved. However, the amendments announced by the minister today will undermine parts of the EA process.

There is still no guarantee that new landfill sites will be subject to a full public hearing despite promises by the Premier as recently as last October here in this House that a full public hearing would be required. Public involvement at the front end of the process is all very well, but it won't do the public any good at all if there turns out to be no EA at the end of the day.

Furthermore, landfill or incinerator proponents will not necessarily have to look at alternatives. It depends on what kind of business they're in. An incinerator company or landfill company may not have to look at the alternatives like the three Rs — recycling, reuse etc.

Who will be happy with today's announcement? The large waste management companies which funded the Harris government's election campaign. That's who will be happy to hear this.

Another issue that I'm very concerned about is the harmonization with federal or other provincial EA processes in the case of joint jurisdiction. For instance, that will mean weakening requirements. Ontario can simply use the lowest common denominator. Currently, the Ontario standard is the minimum, so that will no longer be the case.

The legislation politicizes the EA process, and it actually could at the end of the day shut out public participation, which is another recurring theme in the actions of this government. I expect that the Premier voted against this in cabinet, because this is not what he promised us in the House a few months ago.

ALCOHOL AND GAMING INITIATIVES

Mr Peter Kormos (Welland-Thorold): I feel compelled to respond to the absurd, insane proposition by the Minister of Consumer and Commercial Relations today. Here's a government whose leader said, as has been said so many times, that the problem in Ontario is that there's too much money, that it wants too much money and that it's not that it has a revenue problem but it has a spending problem. Here's a government that's going to pick

the pockets of the poorest and the most vulnerable and make those people pay for a tax break for their rich buddies, for their corporate bums on Bay Street and elsewhere who are involved in this joint enterprise of destroying families and communities across this province.

This government has no intention of consulting. Remember clearly, it talks about "retaining external expertise." We know what they're going to do. They're going to hire some Tory consulting firm to tell them the best way and the best location for these slot machines. Let's not sanitize the issue by calling them video lottery terminals; these are slot machines, the same slot machines that gangsters ran in Chicago and that the Tories are going to be running here in the province of Ontario, and it's going to be the same sort of victims.

I'm not suggesting for a minute that this minister was less than truthful yesterday when he responded to questions put to him about the creation of a schedule 1 agency and the abolition of the LLBO and the gaming commission of Ontario. I'm not suggesting for a minute that he was dishonest. But let me put this to you, Speaker —

The Acting Speaker (Mr Gilles E. Morin): I do not accept that, and you know too well. I would ask you to withdraw.

Mr Kormos: I'm withdrawing that I'm not suggesting for a minute that he's dishonest.

The Acting Speaker: No, I want you to withdraw the fact —

Mr Kormos: Of course I do, Speaker. Of course I withdraw it. But if Diogenes were to walk past him at this moment with his lamp he wouldn't have reason to pause for even a minute, I tell you that.

This government did not consult with the unions involved, the Ontario Liquor Boards Employees' Union or the Ontario Public Service Employees Union. It did not participate in negotiations. This government, in the boldest and most heavy-handed and most totalitarian manner, ran roughshod over the thousands of workers who work within the OLBEU units and the OPSEU units involved. This government is very much opening the door and paving the way for the privatization of not only the sale of liquor, but indeed the so-called regulation of the sale and distribution of liquor.

By retaining external expertise this government is talking about a private gambling regime here in the province of Ontario where there are going to be great profits made on the backs of hard-working, and even more desperate non-working, Ontarians because of its lack of job policy, profits for major industries, most of which aren't even located here in the province of Ontario and virtually none of which will be hiring Ontarians or providing jobs for Ontarians. Shame on them. The people of Ontario don't accept it.

ORAL QUESTIONS

VEHICLE EMISSION TESTING

Mr Dalton McGuinty (Ottawa South): My question is for the Minister of Environment and Energy. The warm

weather's here and with that comes the smog. The Windsor-Quebec corridor, which includes the greater Toronto area, has the worst smog problem in Canada. New federal Ministry of Health studies tell us that during the past six years up to as many as 10,000 Ontario patients were admitted to hospital for respiratory and cardiac problems induced by air pollution.

These studies also tell us that in Metro Toronto two or three people die every day during periods of high air pollution. Based on last summer's experience, there will be at least five days of dangerously high levels of smog in Ontario this summer. That means 10 to 15 people will die because of smog in Ontario this summer.

Car exhaust, especially from poorly maintained cars, is a great contributor to smog. More importantly from your perspective, it is the only cause of smog over which you have complete jurisdiction. You don't need the cooperation of any other government, whether Canadian or American. The fastest way to reduce smog in Ontario is to establish a mandatory car emissions testing program. Why haven't you set one up yet?

Hon Brenda Elliott (Minister of Environment and Energy): I have answered this question several times in the House, but I will endeavour to answer it again as clearly as I can. We are very much aware that Ontario's struggling with a smog problem, with an air problem. It's not something that was created the day we formed the government; this is something that's been happening in Ontario for some time.

I would invite my colleague to join us, I believe it is on the 19th and 20th of this month, when my ministry is sponsoring a conference to put together a comprehensive smog plan for the province of Ontario. This will address a number of different initiatives and ideas, creative solutions that we think will lead to a plan to reduce the smog problem we have here in the province.

I have indicated before, as he asked me about the mandatory vehicle emissions program, that we have renewed the voluntary program that's out at the airport now. We are studying the data gathered while the work was done in its voluntary stage and we are looking at establishing a mandatory program. What we have not yet determined is if we can find a program that is workable and will be effective. Having said that, we acknowledge that 50% of the problem we have in this province doesn't even originate in the province of Ontario.

1410

Mr McGuinty: The time for study is long gone. We have all the information that we need with respect to learning how to address this issue. The reason Vancouver has had a program in place for four years, the reason that 38 American states have implemented mandatory auto emissions testing programs, including the state of Michigan, by the way, is because they work.

I'm not at all certain you understand that it's your responsibility to ensure we can breathe clean air. That's your job as the Minister of the Environment. The people of Ontario are counting on you to make our case for clean air at the cabinet table. You're apparently not doing that.

I want to quote from this Ministry of Health document. There's a reference in here that says, "What do the results

of these studies mean to you and your family?" It says, "There's strong evidence from this research on people living in the Great Lakes basin that increases in certain air pollutants are linked to increases in hospitalization for respiratory and cardiac disease and to increased premature mortality."

The Acting Speaker (Mr Gilles E. Morin): Ask your question, please.

Mr McGuinty: "Most importantly, there does not appear to be a threshold level for ground-level ozone for particulates. In general, the more susceptible populations include the elderly and those with cardiac or respiratory disease, such as asthma, emphysema and bronchitis."

The Acting Speaker: The question.

Mr McGuinty: "Children also tend to be more sensitive than adults."

People are going to die this summer, Minister. Thousands of others are going to be hospitalized. You've got it within your power to help us. I'm going to ask you the same question: Why don't you implement a mandatory auto emissions testing program immediately?

Hon Mrs Elliott: I'm very much aware of the problems we're facing in this province with smog and I'm saying to the member opposite that it's not the simple answer just to establish one single program. This is a large problem, a multifaceted problem and we are looking at finding the multifaceted solutions that will solve this problem.

I can tell my colleague across the way that I myself suffer from asthma and I know how difficult it is to breathe polluted air, and we are taking action. We are working. I can tell you that this government, when it is finished its mandate, will see definitive differences in our smog levels and we will see action taken and the smog levels will be reduced in this province, but we are not prepared to go ahead with a simple program that doesn't solve the problem. We are going to find a solution that actually works.

The Acting Speaker: I'd like to remind you to keep your questions and answers short, precise and to the point.

Mr McGuinty: The only real obstacle before you that prevents you from taking needed action to reduce smog levels in Ontario is your willingness to act. The only real obstacle in the way of helping the thousands of Ontarians who are going to suffer from respiratory or cardiac illnesses aggravated by smog is your willingness to act.

This past Tuesday we had, for the first time since the warm weather came, exceeded the maximum level that your ministry considers to be safe for smog. Two days ago in Metro Toronto, we recorded a smog reading of 88 parts per billion; the maximum level you say is safe is 82 parts per billion.

Other jurisdictions, as I mentioned earlier, have not stalled in their actions. We've had it in place for over four years in BC. It's in place in over 38 American states right now; legislators in those jurisdictions have not refused to act. You're continuing to stall. Again, Minister, for the sake of the health of Ontarians, and particularly those children and seniors who suffer from heart and breathing ailments, will you not immediately put into place mandatory auto emissions testing?

Hon Mrs Elliott: Again, I invite my colleague to join us on the 19th and 20th, when we begin the framework for a smog plan that will see actual reductions in smog in this province. I would remind my colleague across the way that Ontario is one of the leaders in coming together with low-emission vehicles and new fuel formulations that are less polluting. I say to my colleague across the way that this government will take action; it will be action that will see results, and it will work, and we will reduce those smog levels.

YOUNG OFFENDERS

Mr David Ramsay (Timiskaming): I have a question today for the Solicitor General and the Minister of Correctional Services. We know that on March 9 the family and child advocate of Ontario presented to your deputy minister and the Deputy Minister of Community and Social Services her report on the violence that occurred on young offenders at the Elgin-Middlesex Detention Centre.

Because you have said to us in this House that your deputy didn't tell you about this for three months and you've said and admitted to the press that you've got some problems in your ministry, we have to presume, then, that obviously the Minister of Community and Social Services knew. You had an acting deputy at the time; maybe that's the reason, that's the excuse. But the minister must have been informed. What I want to know is, when did the Deputy Minister of Community and Social Services talk to your deputy minister, and when did the Minister of Community and Social Services talk to you about this incident?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): I think it has been reported that the child advocate did report her findings on March 4 by phone to the deputy minister at Comsoc and the acting Deputy Minister of the Solicitor General and Correctional Services. Minister Tsubouchi was informed at that time by his deputy minister and advised that the Ministry of the Solicitor General and Correctional Services would take the lead on that issue.

Mr Ramsay: I've been in government before, and I understand the number of cabinet meetings that take place, the number of caucus meetings that take place, the interministerial meetings that take place between ministers. Sometimes there are luncheon opportunities when, in a casual way, you like to discuss problems that different ministries have. What I'd like to ask the minister is, if the Minister of Community and Social Services knew just about immediately from his deputy minister about the incident that took place, are you telling me that in all those opportunities, when there was a major problem involving both your ministries, that you were not informed, he did not talk to you about this for three whole months?

Hon Mr Runciman: I think at the original meeting on March 4 the advocate indicated she had some concerns and was encouraged to fully investigate those concerns respecting the treatment of young offenders as they arrived at Elgin-Middlesex.

With respect to the information provided to the Minister of Community and Social Services, I think he acted appropriately in the sense that he was advised by his deputy that the Ministry of Correctional Services would be taking the lead in this matter.

Mr Ramsay: The Minister of Community and Social Services did not act properly, because he is in charge of the children of this province, and he's in charge of that 15-year-old who was at that detention centre. He did nothing, because that child was not removed until last week. So he neglected his responsibility to the children of Ontario. He was responsible for that phase-one young offender, and he left that kid there for three months in that detention centre, subject to further abuse from those management people who caused the abuse in the first place.

The Acting Speaker (Mr Gilles E. Morin): Your question?

Mr Ramsay: Something is very rotten here in this government. We don't have all these answers. Minister, I ask you to talk to your Premier to make sure that a public inquiry is held on this incident so the people of Ontario can find out all the facts.

Hon Mr Runciman: I've indicated from the outset that I share the concerns related to this matter. I think there were some very serious allegations related to not only the treatment of young offenders but the response of managers during all of this process, concerns about what happened with respect to the riot at Bluewater prior to it occurring and in the aftermath.

In terms of the child advocate's report, I think if the member speaks with the child advocate, she will indicate to him, as she has to me — and she says this publicly, although no one appears to want to pay any attention to it — that she has been very much satisfied with the response of the ministry during the course of this investigation.

In terms of the safety of young offenders, again she has reaffirmed her belief that this whole matter has been dealt with in an appropriate way with respect to that time period.

1420

Ms Frances Lankin (Beaches-Woodbine): How can you be satisfied if she went back for a surprise visit this week?

Hon Mr Runciman: You will have to ask her with respect to this matter; I suggest that the interjector speak to the child advocate. She has certainly given us her assurance that everything was done in an appropriate and safe manner.

The Acting Speaker: New question.

Mrs Marion Boyd (London Centre): My question is to the Solicitor General. It's really getting very hard for people to appreciate what's going on here. First of all, you didn't know about the allegations of abuse at Elgin-Middlesex. You didn't, but your acting deputy minister did, three months earlier.

Interjection: Tsubouchi knew.

Mrs Boyd: Mr Tsubouchi knew. The Minister of Community and Social Services knew — never had a word with you. Nobody ever spoke to anybody.

Then you didn't know about allegations that managers were at Elgin-Middlesex and at Bluewater last weekend and that they were shredding documents. First you said the managers were part of the investigation team; then you said they weren't. You called in the London police on May 31. They didn't begin their investigation until June 10.

Today we learned in the press — not from you, Minister, but in the press — that Judy Finlay of the child advocate office made an unannounced surprise visit to Elgin-Middlesex on Tuesday of this week, and as a result of her findings there removed the 15 young people from this institution because there were again allegations of inappropriate behaviour that were contrary to the Young Offenders Act.

Can you confirm that there is now another investigation at Elgin-Middlesex involving this set of young people in the care of your ministry?

Hon Mr Runciman: With respect to the suggestions the member is making, the advice I was given with respect to the movement of young offenders following the advice and recommendation of the child advocate was not surrounding the issue of safety of young offenders; it was surrounding the provision of necessary services, like educational training and a whole range of other services that she felt simply weren't being provided. On the basis of that recommendation, the changes were adopted.

Mrs Boyd: Let me quote what the child advocate said, a direct quote: "I was concerned. I didn't feel the youths should remain there. It was my feeling they weren't being managed with principles of the Young Offenders Act." The Young Offenders Act is very specific about the responsibilities of a Minister of Correctional Services in charge of young offenders and, I might add, a Minister of Community and Social Services. The child advocate was concerned. The superintendent, however, has said, and this is becoming a pattern: "They complained of the way the staff treated them. They weren't getting the same program as other young offenders, but we looked into that and found they were getting the same program. In spite of that, the child advocate felt they should be moved."

It sounds like another example of your ministry, the senior personnel and management personnel in your ministry, not taking allegations seriously. The point here is that these young offenders were only moved out because the child advocate came for a surprise visit. That's the only reason we know anything about this.

How can you assure the parents of young people and the public in general that young people are being dealt with appropriately while they're under your care as Minister of Correctional Services? How can you assure us of that?

Hon Mr Runciman: The member keeps describing the visit by the child advocate as a surprise visit. She certainly indicated to me that she intended to return to review the circumstances at Elgin-Middlesex, and upon the advice of the advocate with respect to her concern about the other services provided to young offenders, we acted upon those recommendations.

I remind members — I'm not sure it's going to carry much weight across the aisle in any event — the child

advocate has endorsed the actions of the Ministry with respect to how this matter has been handled from the outset. I think that's something the members opposite simply want to ignore.

Mrs Boyd: Minister, you're just lurching from crisis to crisis. You're clearly not in control of your ministry. Every day there are new allegations; every day you institute a new investigation. Admit it: None of the investigations that you have instituted since you knew about this issue or that your ministry has instigated has been able to prevent young offenders from being mistreated while in the care of your ministry.

What are you going to do about this?

Hon Mr Runciman: I gather we're getting a question here from a former Attorney General who's already reached conclusions. I suggest we never lose sight of the fact about allegations of criminal behaviour which we have taken very seriously. To suggest that she has already found these people guilty I think is doing a grave disservice. These are allegations that we have acted on in a very appropriate and responsible way, and our actions have been endorsed by the child advocate.

The Acting Speaker: New question, the member for London Centre.

Mrs Boyd: My question again is to the Solicitor General. Every day the events surrounding these allegations of abuse of young people at Elgin-Middlesex under the care of you and your ministry become more crowded, and you're out of control in terms of what's going on here. Every time you stand up to speak you've got to forgive the people of Ontario if they get an impression of a coverup, because that's exactly what impression you're giving.

You say it's been handled appropriately. Well, there were letters that came, by at least two employees, to the superintendent at Elgin-Middlesex making specific allegations against a specific manager, T. Johnson. Those letters indicated concern that Mr Johnson may have been involved in the alleged beatings and allegations of coercion of other staff. They've been released; the press has seen them.

Later they wrote that it was inappropriate for the superintendent to allow Mr Johnson, the subject of those complaints, to enter into the investigation himself. He was assigned to investigate these complaints. This only serves to taint evidence and any further official investigation. It's alleged subsequently, in a letter on May 10, that this same person had said very clearly to a bailiff, "There had been a beating." On May 16 the deputy superintendent, Mr Huber, responded to those letters saying he had spoken to Mr Johnson, who had denied the comment; therefore he concluded, and I quote, "Unless I hear from you further, I consider the matter closed."

The deputy superintendent who responded to the allegations is one of those individuals who was at Elgin-Middlesex over the weekend shredding documents, according to those subsequent allegations. Is it the protocol in your ministry for the superintendent of an institution to delegate serious complaints about a staff person, about a manager to the very same supervisor who has had a conversation with that manager and may in the

end be under investigation? Is that appropriate protocol in your ministry?

Hon Mr Runciman: I'm not going to speak to any specific incident that the member may raise in this House. The policy within the ministry is that any serious allegations of a criminal nature will be referred to the police.

Mrs Boyd: I'm completely puzzled now, because these are the allegations that were made on April 11 and May 10. These are the allegations that your supervisors did not report to the police, any more than your acting deputy minister did on March 4, so don't tell us that's the protocol when it's not being obeyed. This is the point. You are out of control of what's happening in your ministry. You've got protocols that aren't being obeyed and you do nothing about it.

You said to the press a couple of days ago that people who had been involved in these allegations had been reassigned. We called Elgin-Middlesex Detention Centre this morning and this very manager against whom these written complaints had been made, who has serious allegations made against him, is scheduled to go into work on Monday morning at 7 at Elgin-Middlesex Detention Centre.

Minister, people under possible investigation could have access to confidential information and discussions and could coerce other staff under their control who may be witnesses in the investigation. Why hasn't this manager, and others who may be the subject of ongoing investigations, been removed from the Elgin-Middlesex Detention Centre until the investigations are complete? That is the normal process when there are serious complaints of this nature.

Hon Mr Runciman: We looked at these allegations being raised and at the policies related to these kinds of allegations and how traditionally, historically that has been handled, and we have followed those guidelines and policies that have been in place during the history of the NDP and Liberal governments. I acknowledge reassignments. They have occurred in light of the receipt of the child advocate's report.

1430

Mrs Boyd: Minister, you keep calling investigations to deal with allegations as they arise day after day after day: the child advocate's office, the OPP, the London police, the internal investigation, and now another investigation. Every time, you're just trying to get control of a ministry which you have lost control of, in very clear terms.

No matter how many investigations you've called, you have done nothing to ensure that possible evidence that might have existed in these cases has been maintained and secure. You have done nothing. Even now, you have someone who is under investigation in a supervisory position at the same facility and possibly having access to that information. What is more, you have done nothing to make sure that possible witnesses in this issue cannot be coerced by those managers.

You're responsible for what happens in your ministry. You're responsible for the children who are under the care of your ministry. Clearly, you have not established that control. When are you going to admit to this House and to the people of Ontario that you have failed to fulfil the responsibilities that have been entrusted to you to

protect the safety and rights of young people in your care?

Hon Mr Runciman: From the outset, I indicated in terms of the child advocate's report that we were going to respond quickly to the concerns she put forward. With respect to the allegations surrounding managers, I expressed immediately my concern related to those, and we have broadened the internal investigation and brought on board a senior legal counsel from the Ministry of the Attorney General to assist and we've also added additional personnel from the OPP.

I continue to indicate that certainly we have concerns about all the issues surrounding this in terms of what I have described as systemic problems within the ministry, which have been there for some period of time, not just prior to us coming to office but also in the Liberal years as well. I think we're operating, in a very difficult situation, in an effective and responsible way.

WORKFARE

Mrs Lyn McLeod (Leader of the Opposition): We had a number of questions today for the Minister of Community and Social Services, one of which was the issue raised by my colleague the member for Timiskaming. In the absence of the Minister of Community and Social Services, I want to turn to another issue. I will place my question to the Deputy Premier and attempt to focus on an aspect of the announcement the minister made yesterday that I believe, as Deputy Premier but more particularly as Minister of Finance, you would be prepared to answer.

You'll be aware that your colleague yesterday announced that you are going to be spending \$120 million on workfare this year. He provided very few details on exactly how that money is going to be spent or how much of it would make its way to helping people actually get off welfare and back into work. I think you'll recognize that if this workfare program is going to result in meaningful work experiences for people, it will require a great deal of coordination, management and most certainly ongoing supervision on the part of the participating municipalities.

We understand that the municipalities are to be compensated at 80% of their administrative costs by the province. I'd like you to tell us how much of the \$120 million is budgeted for administrative costs for the municipalities and how much more those administration costs will be when this program is fully implemented.

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I can't provide the Leader of the Opposition with those details. I'm sure the Minister of Community and Social Services could. However, I will tell her, as she's probably aware, that the Ministry of Community and Social Services will be providing those 20 municipalities with a full briefing session tomorrow.

Mrs McLeod: I am more than a little surprised that the Minister of Finance is not able to answer a question that I made very specifically a budget question. His colleague, on behalf of his government, has made a commitment to a program which, if it is to work in the

interests of the people who will be put into that program, and I use those words advisedly, is going to involve significant commitments of funds on the part of this government. He's committed to 80% of the administrative costs of participating municipalities, he's committed to a widespread expansion of this program after this initial pilot project is done, yet we have no indication from the Minister of Finance what the short-term and long-term budget commitment to those participating municipalities will be. Surely that was a basic, basic part of making that announcement yesterday.

The second part of what should have been the announcement was where the training component is. I have a backgrounder to the campaign commitments that were made, talking about a workfare program, on May 11, 1995, in which it very clearly says the workfare program you were proposing would be accompanied by something called learnfare, which would involve academic upgrading and skills training. I see nothing budgeted for that in yesterday's announcement; I see no reference to it.

Minister of Finance, I ask you, where is the budget for the training programs? Where is the training program that should have been hand in hand with the minister's announcement yesterday?

Hon Mr Eves: As the honourable member knows, the minister just announced the program yesterday. He is in fact travelling around the province today talking about it to various municipalities. There is a briefing session, as I explained to the honourable member, tomorrow for the —

Mrs McLeod: Does the Minister of Finance know what it will cost?

Hon Mr Eves: Excuse me. As hard as it is for the Leader of the Opposition to understand this, in this government cabinet ministers are responsible for their own budgets. It's not for me or anybody else to oversee how they expend their moneys.

But talking about campaign commitments that the leader of the official opposition raises, I would like to remind her of the campaign commitment her member for Hamilton East made about workfare during the election campaign: "Welfare reform, ensuring that people who are able to work do work." That's the commitment from her critic. We're delivering on it.

YOUNG OFFENDERS

Mrs Marion Boyd (London Centre): My question is also to the Deputy Premier. Deputy Premier, I'm asking you a very direct question about the ability of the Minister of Community and Social Services to carry out a very particular mandate: to care for young people under the Young Offenders Act and under the Ontario legislation which gives that minister the responsibility for phase 1 young offenders.

We've heard today — this is the first time we've heard — that the Minister of Community and Social Services knew of the allegations that there had been abuse of young people at the Elgin-Middlesex Detention Centre and knew of that as early as March 4. At least one of those young offenders was in the phase 1 category.

Deputy Premier, do you think it's appropriate for a minister of the crown to neglect the duty to protect a young person as is required by the legislation of this province and this country?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): I would be happy to look into the circumstances. Obviously, I have no particular or personal knowledge of what the Minister of Community and Social Services knew or did not know at any particular point in time. I appreciate the point she raises, but I do not know the extent of knowledge or participation of the Minister of Community and Social Services; therefore I'm unable to provide her with a direct answer to the question. But I'd be happy to take the question under advisement and get back to her with particulars.

Mrs Boyd: This is really a very serious situation. We now have two ministers who are clearly implicated in not caring for young people as they are required to do by their mandates. Instead of just answering my question, I think it would be appropriate for you to commit yourself and the Premier to look into the ability of these two ministers to carry those heavy responsibilities.

The people of Ontario have had their faith shaken in the ability of these ministers to do their job. I think that's very clear. I would like a commitment from you here today that you and the Premier will be looking very seriously at their ability to carry on their responsibilities.

Hon Mr Eves: The Solicitor General has said, I believe, on several occasions in this Legislature and outside that despite the fact that he perhaps did not have personal knowledge, everything that should have been done by his ministry was done during that period of time. I just relayed to her that I obviously do not have any personal knowledge of the extent of knowledge of the Minister of Community and Social Services. I did undertake to look into that matter and to provide her with those particulars, or perhaps the minister will himself.

But I do want to say to her very directly and very sincerely that I have every confidence in the ability of both the aforementioned ministers.

1440

VIOLENCE AGAINST WOMEN

Mr R. Gary Stewart (Peterborough): My question is to the minister responsible for women's issues. You recently released a request for a proposal for the development of a strategic and operational framework for the government's violence against women prevention initiatives. Can you explain to us the nature of this action?

Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues): Yes. The request for proposal is not a review, it is a framework for action. This request for proposal was recommended — the review was recommended in November 1994. There's a much-needed strategic and operational framework across all the violence for women prevention supports across some nine ministries. It's not meant to cut services. It is an opportunity to make certain that our programs are efficient, effective and that they work.

We intend to be accountable and we intend to make certain that the women of this province are getting services that they want and need, and services that work for them.

Mr Stewart: Some critics have stated that this framework is only another review and have claimed that the services are being cut. How will this framework address the needs of women, and can you assure this House that the implementation of this strategy will indeed benefit women who experience violence?

Hon Mrs Cunningham: Again, in the last I would say few years — maybe three or four — everyone should know that there have been over 100 studies on the violence against women initiatives. These are programs that we spend almost \$100 million on. In the last study, which I've already stated was put out in November 1994 — we're being criticized for this; it was the NDP government — the strong recommendation was that we develop an operational framework and that we clarify roles, responsibilities, that we do strategic planning and, most of all, that we monitor, report and evaluate mechanisms.

These programs have never been evaluated, ever, so therefore —

Mrs Elinor Caplan (Oriole): Where does it say cut services?

The Acting Speaker (Mr Gilles E. Morin): Order, the member for Oriole.

Hon Mrs Cunningham: This report is not to cut services, it is to make services better. We are strengthening our programs and our services. In the last two months we have added \$10.2 million to assist the victims' justice fund so that we can work with our courts, as our Attorney General has stated, and with our police, as our other minister has stated, with regard to helping victims of crime: \$11 million in capital funding for women's shelters; proclaimed a Victims' Bill of Rights; released a video. I could go on and on, but the most important piece is that we are going to be accountable.

I say to the parties opposite, what did you do about —

The Acting Speaker: Thank you.

VIDEO LOTTERY TERMINALS

Mr James J. Bradley (St Catharines): I have a question for the Minister of Finance. Minister, today your government plans to introduce legislation to allow VLTs in thousands of bars across Ontario. I know that the profits from VLTs, these electronic slot machines, will fill your government coffers and will allow you to give a huge tax cut to the most wealthy in our province, but it will in effect be tainted money. It will be money from the pockets of the most vulnerable, the most desperate, the addicted, and often the poorest people in our society.

Why don't you follow your conscience on this matter? Why don't you follow the course of action that you know is right and abandon your plans to place VLTs, electronic slot machines, in thousands of bars across the province of Ontario?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): The honourable member knows this government is proceeding in a

very cautious and careful manner with respect to video lottery terminals.

Mr David S. Cooke (Windsor-Riverside): Oh come on.

Hon Mr Eves: He does know that, as a matter of fact.

Mr Cooke: You forced us to bring in closure to get a casino in Windsor. Give me a break.

Hon Mr Eves: That's passing strange coming from the member for Windsor-Riverside, who's been one of the biggest proponents of casino gambling in the history of the province.

Interjections.

The Acting Speaker (Mr Gilles E. Morin): Order.

Hon Mr Eves: To the member for St Catharines: The Ontario Lottery Corp will be charged with the responsibility of locating video lottery terminals in a very controlled atmosphere in the initial stages. He knows this to be factual. I know he doesn't want to hear this answer, but this is the answer. They will be placed in racetracks and in charity event sites, they will be carefully monitored by the Ontario Lottery Corp and I think it is incumbent upon him to be prudent in this matter and wait and see what experience proves to be the case.

The Acting Speaker: Supplementary, the member for York South.

Mr Gerard Kennedy (York South): To the Minister of Finance and following up on his assertion that this is going to happen carefully: The regulations proposed today already assert that there will be VLTs in liquor licence establishments. In other words, there will be a spread of VLTs. Is the minister aware of the studies done in Manitoba which show that it's disproportionate among youth that the exercise of these machines takes place? Is he aware that a study in Manitoba shows that there is more money being spent on gambling than on food in that province on average this year, since the introduction of VLTs? If he is not aware of those things, will he withdraw them today? Will he withdraw these measures? Why is he bringing us down that path? Will he admit that this is simply backfill for a flawed financial plan for the Comic Book Revolution and will he tell us instead that he will give this province a second chance not to go down that line?

Hon Mr Eves: To the honourable member: I welcome the question from the new member of the Legislature. I would say very directly to him —

Interjections.

The Acting Speaker: Minister, please. I can't hear a thing.

Mr Gilles Pouliot (Lake Nipigon): That's because of the machines.

The Acting Speaker: The member for Lake Nipigon.

Hon Mr Eves: I would say very directly to the honourable member that any revenue that the province of Ontario derives from video lottery terminals certainly can't begin to balance the budget and the cost of the \$100-billion debt legacy that your government and your government left Ontario taxpayers with. That is a fact. There's no doubt about that.

We have also indicated that there are four or five absolute prerequisite principles for the operation of VLT machines in the province of Ontario. One of them is that

they cannot be operated in a room that is accessible to minors. That is one of the underlying principles announced during the budget and subsequently by my colleague the Minister of Consumer and Commercial Relations.

ENVIRONMENTAL ASSESSMENT

Ms Marilyn Churley (Riverdale): My question is to the Minister of Environment and Energy. On October 23, 1995, your Premier was asked the following question: "Premier: Do you still, today, believe that Ontario's dumps ought to be the subject of full and public hearings under the Environmental Assessment Act?" The Premier responded, "Yes, I do."

Minister, with the changes that you are announcing today to the Environmental Assessment Act and with the Premier's promise, will you absolutely guarantee today that all landfills in Ontario will be the subject of full and public hearings as well under the Environmental Assessment Act? Yes or no?

Hon Brenda Elliott (Minister of Environment and Energy): What we brought forward today is an act —

Interjections.

The Acting Speaker (Mr Gilles E. Morin): The question has been asked and the minister has to answer the question.

Hon Mrs Elliott: What we've brought forward today are very long-awaited changes to the Environmental Assessment Act. As many of my colleagues in this House will know, we come from ridings where because of the act as it exists, we have spent millions and millions of dollars in futile attempts to site waste management facilities in our individual ridings. The amendments that we're bringing forward here today are going to make the process less costly, less expensive, more timely and they are going to bring definitive decisions.

All proponents will be subject to full environmental assessments. Of that my colleague opposite can be absolutely assured.

1450

Ms Churley: I think you'd better amend your legislation before you introduce it this afternoon, because that is not guaranteed in it, I can assure you.

The Canadian Institute for Environmental Law and Policy today released a condemnation of the dismantling of environmental regulation in this province by you and your government. The report states: "Over the past year, the new government has undertaken a dismantling of environmental laws, regulations, policies and institutions which is without precedent in the history of the province."

You think you can get away with saying over and over again that your decimated ministry will do a better job of protecting the environment, without resources and without regulations. Your problem is nobody believes you.

Admit to the people of Ontario today that you are engaged in unprecedented dismantling of our environmental laws and regulations. Will you tell the Premier today that you refuse to engage in this activity any more and resign in protest?

Hon Mrs Elliott: My colleague opposite represents a party which, for years, in the case of the Environmental Assessment Act —

Interjections.

The Acting Speaker: Order. The member for Lake Nipigon, order.

Hon Mrs Elliott: My colleague today is referring to changes in the Environmental Assessment Act that her party, for years, studied and looked at. The changes being proposed in this act today are coming to this House after 20 years of experience in environmental assessment, after reform attempts that never materialized into changes, and that's why in this province we have spent millions and millions of dollars on wasted process. It is over.

This new act is going to result in decisions that will work and, most of all, will come back to the original intent of the act, which was to assess and minimize the environmental impact of projects ongoing in the province of Ontario. Environmental protection is what we're seeking and what will be delivered in the amendments to this act.

EDUCATION

Mr Ron Johnson (Brantford): My question is to the Minister of Education. I want to say this week has been a great week for the community of Brantford. Not only are we one of the sites of the workfare program — and I can tell you that our community is incredibly excited about that — but on Tuesday, the people of Brantford also saw the development of a \$1.2-million education fund for the students of our community, students who would be partaking in science courses at the university level.

We had a gentleman by the name of James Hillier visit our community, and of course he's from Brantford. For those of you who don't know who he is, he's one of the original inventors of the electron microscope, and he helped set up that fund.

Minister, what steps are you taking to encourage this kind of direct public support of higher education and learning?

Hon John Snobelen (Minister of Education and Training): I want to thank my colleague the member for Brantford for the excellent question, one of a number of excellent questions he's raised in the House in the last year.

Of course I'm aware of the fact that the James Hillier trust fund was established just recently, and I want to add my congratulations to those local folks who got behind this trust and donated \$75,000 each to come up with the original part of this \$1.2-million trust fund that will be used to help students from that area in science programs.

We have encouraged a long tradition of individuals and organizations in supporting our post-secondary institutions and, more important, our students. We recently announced that our government will help to support employers who are working in co-op education with our college and university students, and we created the Ontario student opportunity trust fund, which will match funds with the private donations to our students and help to support them up to \$100 million.

Mr Ron Johnson: I'm certainly encouraged by the minister's answer. Mr Hillier challenged our community to raise \$500,000 locally, and it only took two weeks for the people of Brantford to band together and raise \$500,000 for this initiative. I think they deserve a great deal of credit.

I'm going to just name a couple of names here if I may. Frank Matthews and family, Mary Stedman, Margaret Stedman, Ruth Stedman, Don Wilkin and family, and S.C. Johnson Wax all contributed to this foundation.

Minister, how can gifts such as the James Hillier Foundation be integrated with the Ontario student opportunity trust fund and of course the university foundations?

Hon Mr Snobelen: We're working right now with the colleges and universities to come up with a plan for how the Ontario student opportunity trust fund will work to match the grants they get from the people of Ontario. The member has noted the fact that it took only a few weeks to raise \$525,000 in that area of Ontario. There are \$40 million to \$50 million in private donations given every year to universities and colleges in Ontario, and we believe our trust fund, the opportunity of matching funds from this government, will double the amount that is normally given to our universities and colleges. We'll be out very soon with the details of how that will work.

YOUTH EMPLOYMENT

Mrs Sandra Papatello (Windsor-Sandwich): I'd like to follow up on a question asked yesterday by my colleague the member for Scarborough-Agincourt to the Minister of Education and Training. Now that the minister made that announcement not too long ago about the summer employment programs for youth — and at that time we applauded the announcement as a victory for young people in Ontario — can the minister give me a progress report? How exactly is your program going?

Hon John Snobelen (Minister of Education and Training): I want to thank the member for Windsor-Sandwich for the question and also for the acknowledgment of the fact that we have announced an expanded program for students getting summer jobs in the province. As to her question on the status of those jobs, as she probably has noted, this involves the cooperation of the private sector. I understand that the information has recently got out to our members' offices throughout the province and there is some uptake of that information, but I do not now have information on how many jobs have been taken. It's the early part of June, very early in that jobs program.

Mrs Papatello: As a matter of fact, it's not very early, it's very late. I'd like to inform the minister exactly how his program is going in some parts of Ontario. A specific agency that delivers the program in Metro Toronto tells me that at this point where their programs would be delivered to small business, where you should have almost 100% filled, you're only at 25%. The reason is that you have created so much red tape and bureaucracy. Despite the efforts of your Red Tape Review Commission, you've created more red tape this year than ever, and small business is not happy to participate in the programs as it has in the past. The 1-800 number outlined

in the brochure was forgotten to be changed to include the appropriate voice mail.

Minister, address the House today and tell me, given that so far the program has been absolutely abysmal, do you have a plan B to assist the young people in Ontario with employment programs?

Hon Mr Snobelen: I'm sure the member opposite won't be surprised that I don't share her negative view of these programs for students in Ontario, nor will I concur in speculation on the uptake in the program or any of the problems that may have been experienced in past years with student job opportunities.

As a matter of fact, I'm sure these comments are based on a media report that was out about a week ago. I'm surprised it took that length of time for the member to bring this up in the House. But if she had read on in the report, I'm sure she would have found that there was some optimism in Metro Toronto about the uptake in this program as students become available for summer employment. I believe the private sector in the province will take this opportunity for some support and create these jobs for the young people in Ontario.

OBSTETRICAL CARE

Mr Floyd Laughren (Nickel Belt): I have a question of the Minister of Health concerning a crisis of his own making. Last Thursday, a week ago, all seven obstetricians from the Mississauga Hospital decided not to take on any new prenatal obstetrical patients as of June 17, next Monday. In their letter, they said that both Peel Memorial Hospital and the Credit Valley Hospital would be following this course of action.

In Ottawa, it's been reported that 30 obstetricians are considering that they will stop taking new patients within the next six weeks. That's almost all the region's obstetricians. They're joining a growing list of communities. In Windsor, 12 out of 12 obstetricians; in Thunder Bay, seven out of eight; in Sudbury, eight out of eight; in Sault Ste Marie, five out of six obstetricians will not be taking any new patients this month. Guelph and Kingston are contemplating similar action. The crisis is acute and it's spreading very quickly across the province. Could you tell us what you've been doing to put an end to this problem you've created?

Hon Jim Wilson (Minister of Health): Quite simply and quite succinctly, I've been working on a solution to this problem and hope to make an announcement in just the next few days.

1500

Mr Laughren: I'm pleased that the minister thinks he has a solution in the next few days. We shall see what that solution is, because I'm worried about some of his suggestions so far. Last week, when he was asked if pregnant women would have to go to the US to have their babies, he said: "We're not ruling that out. In some border communities that could well be the possibility."

We did some checking, and at the Hutzell Hospital in Detroit the minimum charge for delivery is \$6,900; a Caesarean delivery costs about \$13,000. At Memorial Hospital in Michigan it costs about \$4,000, and that doesn't take into account any additional charges there

might be. That's compared to a two-day hospital visit for a delivery in Windsor of about a \$1,500 billing to OHIP. There's a very substantial difference. At the end of the day, if you end up paying for that through OHIP, it's going to cost you a lot more than a reasonable solution would cost you.

Very simply, when the minister sits down to negotiate, I hope he's negotiating, because he hasn't so far; there have been no serious negotiations with either the OMA or the obstetricians on this matter — not serious negotiations. I ask the minister exactly what he has in mind.

Hon Mr Wilson: It's obvious what I have in mind. We put the offer on the table some two weeks ago. As obstetricians are hearing, we're going to fully restore their malpractice insurance, and we've taken other initiatives.

You'd think the honourable member would get up and thank us for the tremendous announcement we made today on northern Ontario with salaries of \$194,000 to attract GPs into 21 communities across the province. We are very much implementing the physician action plan as set out in the unprecedented letter I sent to physicians, some 22,000 of them, a couple of months ago. Physicians are talking to us.

Sometimes the associations themselves have differing views with us, but we're committed to, first of all, ensuring that the women of this province get the obstetrical services that they need and, secondly, finding a particular solution because we want to have happy obstetricians and happy doctors in the province, if that's possible. It's not been possible in the last 10 years in this province. Nor is this a made-in-Ontario phenomenon; doctors all across North America are having a very difficult time with the changes in all of our health care systems.

TRAIN DERAILMENT

Mr Douglas B. Ford (Etobicoke-Humber): My question is for the Minister of Environment and Energy. This past weekend near the town of Foleyet, near Timmins, a Canadian National freight train carrying toxic cargo left the tracks. According to the news reports, the train was carrying a number of potentially dangerous substances. Would the minister tell the House how her ministry responded to this potential emergency?

Hon Brenda Elliott (Minister of Environment and Energy): I would like to assure my colleague opposite that there were no toxic substances that escaped during that derailment; that the people at the emergency spills centre responded immediately, with police officers as well; that residents were almost immediately evacuated. Once it was discerned that the problem was not too great, the residents were returned to their homes within hours.

Mr Ford: I am pleased to hear that through the spills action centre the Ministry of Environment and Energy was able to coordinate action to ensure that the train derailment at Foleyet was quickly responded to.

According to the business plan of the Ministry of Environment and Energy there will be, as with most ministries, significant restructuring of the ministry. Can

the minister please tell the House whether the spills action centre will also be restructured?

Hon Mrs Elliott: I would like to assure my colleague that yes, as with all other ministries, we are restructuring our ministry and focusing on our core businesses. In our ministry we believe that protecting the environment is absolutely the core business, and being able to respond to emergencies is very important.

I'd like to take this opportunity to say that the people in the spills action centres and all of those other officials who respond in a time of emergencies, whatever they may be, do it very well. It's a very difficult job. It's one we highly value at the ministry. It's one that absolutely will be continued as part of our core business — protecting the environment.

TORONTO TRANSIT COMMISSION

Mr Mike Colle (Oakwood): A question to the Minister of Transportation: In a follow-up to your stinging indictment of the Toronto Transit Commission — you said it was the worst transit commission in the country — the question a lot of people are asking, because you have stated categorically you know it's the worst system, is, how many times have you ridden a bus in Toronto, a bus in York region? Have you ever been on public transit in Ottawa, Winnipeg, Montreal or Edmonton? How often do you ride or have you ridden public transit in Ontario or in other parts of Canada? How come you can make yourself such an expert? How often and when do you ride public transit?

Hon Al Palladini (Minister of Transportation): I believe that a lot of things have been discussed the last few days. If the honourable member wants to have an answer from me, just let him look up the Hansard. The answer is there.

Mr Colle: No, no. Perhaps with the noise, you didn't hear. I asked you a very direct question. How many times have you ridden public transit in the city of Vaughan or maybe Brampton transit or Mississauga transit, or anywhere? Tell me where you've ridden it and how many times. That's the simple question.

Hon Mr Palladini: I don't know what that has to do with my riding the transit system, but if the honourable member would like to know do I take public transit, yes, I do. Have I been on a bus in Montreal? Yes, I have. Have I been on a bus in Edmonton? Yes, I have. Have I been on a bus in Ottawa? Yes, I have. Have I been on a bus in Vancouver? Yes, I have. Have I been on a bus in Winnipeg? Yes, I have. You know what? I've also been on a bus in Toronto. If that is the answer the honourable member wants, I believe I've just given it to him.

BUSINESS OF THE HOUSE

Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader): Mr Speaker, I wonder if I might give the business statement for next week, which is pretty short, actually. The House leaders are continuing to meet. I think we have agreed upon a package of legislation to be dealt with over the next two weeks. As agreed, legislation will be brought forward on a daily basis.

However, private members' business for Thursday, June 20: ballot item number 37, standing in the name of the member for Durham West; and ballot item number 38, standing in the name of the member for Prescott and Russell.

I believe there will also be a motion introduced on Monday to dispense with sitting next Thursday afternoon.

PETITIONS

DELLCREST CHILDREN'S CENTRE

Mr Tony Ruprecht (Parkdale): The Dellcrest Children's Centre petitions keep on coming. I know the Minister is now lending a great ear to this petition. It states:

"Whereas the Dellcrest Children's Centre is planning to open a 10-bed open custody residence for troubled children and youth in south Parkdale; and

"Whereas the residence is an inappropriate site for the rehabilitation of troubled children and youth" —

Interjections.

The Acting Speaker (Mr Gilles E. Morin): Order. Would you just wait for a minute. If some members have to leave the House, would you please do so now. The member for Parkdale.

Mr Ruprecht: Thank you very much, Mr Speaker.

"Whereas the residence is an inappropriate site for the rehabilitation of troubled children, as it is within walking distance to illicit drug and prostitution activities, a large number of unsupervised rooming houses that are home to ex-psychiatric patients and parolees and our society's most vulnerable and ostracized members, and a number of licensed establishments that have been charged with various liquor infractions; and

"Whereas the Ministry of Correctional Services and the Dellcrest Children's Centre have decided not to hold open discussions with our community prior to the purchase of this house for the purpose of an open custody residence; and

"Whereas a decision to relocate also expresses a total lack of regard for our community's consistent and well-documented wishes for the government to stop the creation or relocation of additional service programs in an area already oversaturated with health and social services for disadvantaged and disenfranchised people;

"We, therefore, the undersigned local residents, urge the Ministry of the Solicitor General and Correctional Services to suspend plans to relocate the open custody residence for troubled children until a full review of this centre's decision can be conducted, and explore with us alternative locations which are much more appropriate."

I have signed my name to this document.

1510

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton Centre): I have a petition from the National Health and Welfare Union, Local 00037, sent to me over the name of Jan Liberty,

and the petition reads as follows from the members of that local:

"To the Legislative Assembly of Ontario:

"Whereas it is vital that occupational health and safety services provided to workers be conducted by organizations in which workers have faith; and

"Whereas the Workers' Health and Safety Centre and the occupational health clinics for Ontario workers have provided such services on behalf of workers for many years; and

"Whereas the centre and clinics have made a significant contribution to improvements in workplace health and safety and the reduction of injuries, illnesses and deaths caused by work;

"We, the undersigned, therefore petition the Legislative Assembly of Ontario to oppose any attempt to erode the structure, services or funding of the Workers' Health and Safety Centre and the occupational health clinics for Ontario workers; and

"Further, we, the undersigned, demand that education and training of Ontario workers continue in its present form through the Workers' Health and Safety Centre and that professional and technical expertise and advice continue to be provided through the occupational health clinics for Ontario workers."

As I agree with the petition, I add my name also.

FRENCH-LANGUAGE SERVICES

Mr Bill Grimmett (Muskoka-Georgian Bay): I have a petition which has been presented to the member for Simcoe East and I'm submitting it on his behalf. This petition relates to the French Language Services Act and it appears to have been signed by approximately 53 constituents of the member for Simcoe East. I wish to submit it today.

RENT REGULATION

Mr Mike Colle (Oakwood): "To the Legislature of Ontario:

"Whereas the Harris government is planning to gut rent controls; and

"Whereas removal of rent control legislation breaks a campaign promise made by the Conservatives during the election; and

"Whereas a great number of tenants are seniors and people on fixed incomes and many have had their income cut by 22% due to social assistance cuts and cannot afford increases in their rent; and

"Whereas growing unemployment and the scarcity of affordable housing in Metro makes the removal of rent control an even greater disaster for the tenants and for people who cannot afford to buy homes;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the government of Ontario keep their pre-election promise and not remove rent controls and continue with the Landlord and Tenant Act and the Rental Housing Protection Act."

I affix my name to this petition.

BEAR HUNTING

Mr John O'Toole (Durham East): I'm pleased to present a petition. It reads as follows:

"To the Parliament of Ontario:

"Whereas bears are hunted in the spring after they have come out of hibernation; and

"Whereas about 30% of the bears killed in the spring are female, some with cubs; and

"Whereas 80% of the orphaned cubs do not survive the first year; and

"Whereas 95.3% of the bears killed by non-resident hunters and 54% killed by resident hunters are killed over bait; and

"Whereas Ontario still allows the limited use of dogs in bear hunting; and

"Whereas bears are the only large mammals hunted in the spring; and

"Whereas bears are the only mammals that are hunted over bait; and

"Whereas there are only six states in the United States which still allow a spring hunt;

"We, the undersigned, petition the Parliament of Ontario to amend the Game and Fish Act to prohibit the hunting of bears in the spring and to prohibit the use of baiting and dogs in all bear-hunting activities."

I'm pleased to present this petition.

RENT REGULATION

Mr Alvin Curling (Scarborough North): I have a petition here from some very concerned tenants, and it reads like this:

"To Premier Michael Harris, Minister of Municipal Affairs and Housing Al Leach and members of the Ontario provincial Legislature:

"We, the undersigned, protest this government's actions against tenants described below. The Rent Control Act protects Ontario's 3.3 million tenants. Rent control allows for security and stability in their homes and communities. Uncontrolled rent increases leave tenants, their families and other Ontario communities open to eviction, personal distress and contribute directly to social instability. We want this government to stop any action that would allow uncontrolled rents.

"Further, this government is considering changes to the Landlord and Tenant Act favourable to landlords for easier and faster evictions. This is unacceptable to Ontario tenants and damaging to Ontario communities. This government also plans to get rid of public housing, has halted the creation of basement apartments and a new supply of affordable non-profit housing. These types of housing are necessary for low- and moderate-income tenants to obtain accommodation they can afford. The government must cease all actions that reduce the affordability and availability of these kinds of housing.

"This government has eliminated funding for the United Tenants of Ontario" — and Lacateras Uni del Ontario; that's UTOO and the LUDO — "five municipal tenant federations and other important tenant services at a time when they are attacking all tenant rights. Funding for these groups must be reinstated so that Ontario's tenants, and not just their landlords, will be able to bring

their views to bear on government deliberations on tenants' rights and protection. A consultation process with tenants' organizations should be initiated immediately to develop a plan for sustainable funding for the services of tenants."

I attach my signature.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton Centre): I have a petition from Canadian Auto Workers Local 2213 based in Mississauga. The petition reads as follows:

"To save the Workers' Health and Safety Centre and the occupational health clinics for Ontario workers.

"To Premier Harris:

"We, the undersigned, oppose any attempts to erode the structure, services or funding of the Workers' Health and Safety Centre and the occupational health clinics for Ontario workers.

"We demand that education and training of Ontario workers continue in its present form through the Workers' Health and Safety Centre and that professional and technical expertise and advice continue to be provided through the occupational health clinics for Ontario workers."

As I support the petition, I add my name.

BEAR HUNTING

Mr Chris Stockwell (Etobicoke West): I'm up today because probably some of the viewing audience is wondering where I've been and I just want to prove that I'm here and working hard.

Mrs Elinor Caplan (Oriole): You're not sitting in your correct seat.

Mr Stockwell: The member for Oriole's complimenting me again. Thank you so much.

I have a petition here to end the spring bear hunt, to the Parliament of Ontario.

Mr Mike Colle (Oakwood): There are a lot of bears in Etobicoke.

Mr Stockwell: No, there aren't a lot of bears; they've been wiped out.

The Acting Speaker (Mr Gilles E. Morin): Petitions.

Mr Stockwell: "Whereas bears are hunted in the spring after they have come out of hibernation; and

"Whereas about 30% of the bears killed in the spring are female, some with cubs; and

"Whereas 80% of the orphaned cubs do not survive the first year; and

"Whereas 95.3% of bears killed by non-resident hunters and 54% killed by resident hunters are killed over bait; and

"Whereas Ontario still allows the limited use of dogs in bear hunting; and

"Whereas bears are the only large mammals hunted in the spring; and

"Whereas bears are the only mammals that are hunted over bait; and

"Whereas there are only six states in the United States which still allow a spring hunt" — and whereas we all know what bears do in the woods;

"We, the undersigned, petition the Parliament of Ontario to amend the Game and Fish Act to prohibit the hunting of bears in the spring and to prohibit the use of baiting and dogs in all bear-hunting activities."

1520

FISCAL AND ECONOMIC POLICY

Mr Dominic Agostino (Hamilton East): I have petitions here that have been signed by 16,000 Ontarians. This petition was organized by the Canadian Catholic Organization for Development and Peace and it was distributed through the Catholic dioceses of Hamilton, London, Toronto and Niagara, and signed through the churches and supported by the bishops of those dioceses across this province. The petition is a message for Premier Harris of Ontario:

"By placing an undue burden for the fiscal recovery on the backs of the poor, your government is reneging its responsibility to protect the most vulnerable in our society. We ask you, the government of Ontario, to first and foremost consider the common good of all people of Ontario in your fiscal and economic decisions."

There are 16,000 names on these petitions and I am pleased and honoured to add my name. I hope the government is listening to the good people of this province who have signed this.

RENT REGULATION

Mr David Christopherson (Hamilton Centre): A petition to the Ontario Legislature:

"Whereas Mike Harris's Conservative government of Ontario is planning to destroy the present system of rent control; and

"Whereas Mike Harris and the Conservative Party made no mention of scrapping rent control during the election campaign of 1995 or in the Common Sense Revolution document; and

"Whereas a number of Conservative candidates in ridings with high tenant populations campaigned during the 1995 election on a platform of protecting the current rent control system; and

"Whereas the government has consulted with special-interest groups representing landlords and developers while cutting funding to organizations representing the 3.5 million tenants in Ontario; and

"Whereas, although all renters will suffer, seniors and others on fixed incomes will suffer particular hardship if rent controls are abolished; and

"Whereas eliminating rent control will result in skyrocketing rents in Ontario;

"Therefore we, the undersigned, call upon the Legislature of Ontario to stop the attack on the 3.5 million tenants of this province."

I attach my signature in support.

FIREARMS CONTROL

Mr David Tilson (Dufferin-Peel): "To the Legislative Assembly of Ontario.

"Whereas the Liberal government of Canada has passed Bill C-68, An Act respecting Firearms and other Weapons; and

"Whereas we welcome real gun control and support those portions of Bill C-68 which provide tougher penalties for the criminal use of firearms, new offences related to firearm smuggling and trafficking, and a ban on paramilitary weapons; and

"Whereas existing laws requiring the registration of handguns has done little to reduce the number of crimes committed with handguns or lower the volume of handguns smuggled into Canada; and

"Whereas the national gun registration provisions of Bill C-68 will result in a massive misallocation of the limited resources available to law enforcement agencies, with no practical effect on the traffic in illegal firearms or the use of guns by violent criminals; and

"Whereas the gun registration provisions of Bill C-68 will take police officers off the street and involve them in bureaucracy rather than fighting crime and will make the task of real gun control more difficult and dangerous for police officers;

"We, the undersigned, respectfully petition the province of Ontario to continue to urge the government of Canada to repeal from Bill C-68 those provisions for a compulsory registration of all firearms."

I have signed this petition.

RENT REGULATION

Mr Gerard Kennedy (York South): It's my pleasure to read this petition from hundreds, to add to the thousands, from the city of York, from London, Orangeville, Ilderton, Scarborough, Georgetown, Brampton, Welland, Parkhill, Glengarry and Walkerville.

"To the Premier, Michael Harris, Minister of Municipal Affairs and Housing Al Leach, and members of the provincial Legislature:

"We, the undersigned, protest this government's actions against tenants described below. The Rent Control Act protects Ontario's 3.3 million tenants. Rent control allows for security and stability in their homes and communities. Uncontrolled rent increases leave tenants, their families and other Ontario communities open to eviction, personal distress and contribute directly to social instability. We want this government to stop any action that would allow uncontrolled rents.

"Further, this government is considering changes to the Landlord and Tenant Act favourable to landlords for easier and faster evictions. This is unacceptable to Ontario tenants and damaging to Ontario communities. This government also plans to get rid of public housing, has halted the creation of basement apartments and a new supply of affordable non-profit housing. These types of housing are necessary for low- and moderate-income tenants to obtain accommodation they can afford. The government must cease all actions that reduce the affordability and availability of these kinds of housing.

"This government has eliminated funding for the United Tenants of Ontario, five municipal tenant federations and other important tenant services at a time when they are attacking all tenant rights. Funding for these groups must be reinstated so that Ontario's tenants, and

not just their landlords, will be able to bring their views to bear on government deliberations on tenants' rights and protection. A consultation process with tenants' organizations should be initiated immediately to develop a plan for sustainable funding for the services of tenants."

I affix my name to this petition.

INTRODUCTION OF BILLS

ALCOHOL, GAMING AND CHARITY FUNDING PUBLIC INTEREST ACT, 1996

LOI DE 1996 RÉGISSANT LES ALCOOLS, LES JEUX ET LE FINANCEMENT DES ORGANISMES DE BIENFAISANCE DANS L'INTÉRÊT PUBLIC

Mr Sterling moved first reading of the following bill:

Bill 75, An Act to regulate alcohol and gaming in the public interest, to fund charities through the responsible management of video lotteries and to amend certain statutes related to liquor and gaming / *Projet de loi 75, Loi réglementant les alcools et les jeux dans l'intérêt public, prévoyant le financement des organismes de bienfaisance grâce à la gestion responsable des loteries vidéo et modifiant des lois en ce qui a trait aux alcools et aux jeux.*

The Acting Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Motion carried.

Hon Norman W. Sterling (Minister of Consumer and Commercial Relations): I'm pleased to introduce for first reading the Alcohol, Gaming and Charity Funding Public Interest Act, 1996. The initiatives proposed in this act will strengthen enforcement of alcohol and gaming regulations in our province, Ontario, and ensure that video lottery terminals are introduced in our province in a measured and controlled fashion.

ENVIRONMENTAL ASSESSMENT AND CONSULTATION IMPROVEMENT ACT, 1996

LOI DE 1996 AMÉLIORANT LE PROCESSUS D'ÉVALUATION ENVIRONNEMENTALE ET DE CONSULTATION PUBLIQUE

Mrs Elliott moved first reading of the following bill:

Bill 76, An Act to improve environmental protection, increase accountability and enshrine public consultation in the Environmental Assessment Act / *Projet de loi 75, Loi visant à améliorer la protection de l'environnement, à accroître l'obligation de rendre des comptes et à intégrer la consultation publique à la Loi sur les évaluations environnementales.*

The Acting Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

WORKERS' PENSION BILL OF RIGHTS, 1996
CHARTRE DES DROITS DES TRAVAILLEURS
EN MATIÈRE DE RETRAITE DE 1996

Mr Hampton moved first reading of the following bill:
 Bill 77, An Act to make Pension Plans accountable to
 Workers / Projet de loi 77, Loi visant à rendre les
 régimes de retraite responsables devant les travailleurs.

The Acting Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

Mr Howard Hampton (Rainy River): The bill requires pension plans to be administered by a pension committee or board of trustees that meets all the following qualifications: At least half the members of the pension committee or board of trustees must be representatives of members of the pension plan; the pension committee or board of trustees must include at least one representative of each class of members of the pension plan; if a majority of a class of members is represented by a trade union, the representative or representatives of the class must be appointed by the trade union; and similar requirements.

This reflects the demographic changes that are happening with respect to our workforce and it also reflects the kinds of impacts that pension plans have in terms of investments in our economy.

1530

ORDERS OF THE DAY

AUTOMOBILE INSURANCE RATE
STABILITY ACT, 1996

LOI DE 1996 SUR LA STABILITÉ
DES TAUX D'ASSURANCE-AUTOMOBILE

Mr Sampson moved second reading of Bill 59, An Act to provide Ontario drivers with fair, balanced and stable automobile insurance and to make other amendments related to insurance matters / Projet de loi 59, Loi visant à offrir une assurance-automobile équitable, équilibrée et stable aux conducteurs ontariens et à apporter d'autres modifications portant sur des questions d'assurance.

Mr Rob Sampson (Mississauga West): Before I start off, I'd like to note that I believe we have unanimous consent to split the leadoff time among the various parties; and secondly, I think we also have unanimous consent for the Liberals' leadoff time to be deferred to a subsequent day.

The Acting Speaker (Mr Gilles E. Morin): You're entitled to speak for your opening remarks, but you've asked if you could split the time with somebody else. Who is that person?

Mr Sampson: I think we have unanimous consent to split among the caucuses the leadoff time.

Mrs Elinor Caplan (Orillia): No, that's not what you have. You can split it within your own caucus, and we'll do with our 90 minutes as we wish.

Mr Sampson: Fine. Mr Speaker, we have at least consent to split the time among the NDP and the Conservative caucuses. The Liberals will deal with that time however they choose.

The Acting Speaker: You can't do that.

Mrs Caplan: He's not explaining it well. Could I be helpful?

Mr David Turnbull (York Mills): Mr Speaker, the intent is, and I believe there's unanimous consent, that our leadoff time will be split between two speakers, and then, to accommodate the NDP, we have unanimous consent that we will not take the Liberals' turn; we will go to the NDP, who also have two leadoff speakers splitting the time, and then it will go into rotation.

Mrs Caplan: That's correct, in terms of what the chief government whip has said. However, we reserve the 90 minutes for our leadoff speaker at the first opportunity when this bill is called again.

The Acting Speaker: Does everybody agree? Agreed. Who are you splitting your time with?

Mr Sampson: With the member for Halton North.

The Acting Speaker: Agreed? Agreed. The member for Mississauga West.

Mr Sampson: I'm very pleased and honoured to lead off second reading of Bill 59. As you know, last Tuesday the Minister of Finance introduced the Automobile Insurance Rate Stability Act. This new legislation will do something that previous automobile insurance systems in this province have not been able to do. It will focus on the drivers of this province, providing them with a fair, adequate and balanced automobile insurance system and one that will put an end to the double-digit rate increases that consumers in this province have seen over the past couple of years.

Last February, draft legislation and draft regulations were released, and the standing committee on finance and economic affairs travelled the province to listen to ideas and suggestions put forward by various interested parties. I'm pleased to say that many suggestions brought forward in that committee process are buried in and comprise and are built into the final legislation and the regulations that we have now brought forward.

I think it's important, as we talk about this particular plan, to frame the design of the automobile insurance system we have put forward in the context of the system Ontarians are currently subject to. Of course that is Bill 164, brought forward by the previous NDP government.

Bill 164 was really based upon two fundamental assumptions. One is that Bill 164 assumed that all Ontario drivers were the same. As a result of that, Bill 164 comprised a package of benefits that were the same for all claimants, regardless of the severity of the accident, regardless of who caused the accident, regardless of the potential loss or the actual loss of the insured at the time.

Secondly, Bill 164 realized and brought forward a plan that said all Ontarians should share in the fault of all drivers. I think the common name known in the market is that this is a no-fault plan. In fact, that name is as far from the truth as could possibly be. The real name of that particular plan should have been "Everybody's at fault," because indeed that's what happened when somebody got involved in an accident. The costs were shared among all drivers in Ontario, regardless of whether they were involved in the accident or not.

Based upon this idea that all Ontarians should share in this fault system, the previous government brought

forward a plan that severely limited the right of the innocent accident victim to use the court system to solve who should pay what to whom. In fact, Bill 164 limited court action and tort liability to only one category of potential law suit, and that's the category that's commonly called general damages, or the pain and suffering category.

In taking a look at the reform of this package, we as a government had to identify the fundamental fact of Ontario drivers; that is, not all Ontarians are the same. Madam Speaker, I know you know this very well, because you, like I, drive up and down the QEW on a regular basis, a very highly travelled route. There are good drivers and there are bad drivers. I know my friend from Welland-Thorold would agree with me. There are people who have demonstrably bad driving habits, sometimes on purpose, and sometimes these bad driving habits have been generated over a period of use of the road. But clearly there are in Ontario good drivers and bad drivers. We can't ignore that fact.

There are individuals who, as a result of an accident, will have potentially a high income loss or a high economic loss, and there are those who will have a much smaller income loss. Clearly not everybody will have the same loss. A concert pianist who loses the use of an arm — that's a severe reduction in their ability to earn income. I would dare say that the loss of an arm might be less severe perhaps for members of this House. There are individual, different economic losses as the result of an accident.

In our current work environment in Ontario, some employees have access to benefits available to them via other disability plans. If they get involved in an accident, they may be able to claim upon a disability plan that's provided at work. They may be able to claim upon a disability plan they purchased privately. But not all Ontarians have the same plan, so to put forward the automobile insurance format that the previous government did, which assumes that everybody has an additional source of benefits if they are involved in an accident, didn't identify the facts. All Ontarians are not the same.

We felt it was important, in designing an auto insurance plan, to deal with those realities of Ontario drivers. We felt it was also important to deal with the reality that while there may be some disadvantages from a no-fault plan, there are certain advantages to a no-fault plan and we should try to keep those. While there are certain disadvantages to a plan that allows a claimant to sue for their particular loss, there are some advantages of those plans. We should keep the advantages of the tort component but try not to build into the new structure the disadvantages of the tort component. There clearly needs to be a balance.

1540

When we brought forward our plan in February, and now this final revision, we feel we have that balance, a balance between benefits available to an individual, regardless of fault, and benefits available to an individual who is not at fault, and of course they get those benefits by suing the at-fault party and his or her insurer.

But not only do you have to get the balance right, you need to get the level of the balance correct. In determin-

ing the level of balance, one really is determining the total rate one pays. In getting the level of balance right, one could also provide the opportunity for individuals who need a much higher protection to buy it, and for those Ontario drivers who need much lower protection to also have that available to them. As I say, we needed to get the balance correct between tort and no-fault and the level of that balance correct. I believe we have done that in our particular plan.

In addition to all these design features that we felt were important as we structured the plan, we felt it was also important to understand that auto insurance is there for the benefit of the consumers — not the industry, not the health care practitioners who provide the service after an accident, not the brokers who sell the product, not the lawyers who deal with the court action, not the bureaucrats who deal with the functions of the Ontario Insurance Commission or other government entities dealing with auto insurance, but the plan should be there to benefit Ontario drivers, the consumer. We felt it was crucial to build into this plan some very key consumer initiatives.

Through our discussion period in what I have called the first phase of our consultation process, we met with over 120 individuals and groups to talk to them about what they felt was important in auto insurance. Many of those groups were consumer groups or representatives from the consumer side of the product. Their comment to me through the consultation process and even through the committee process — Madam Speaker, I know you are aware of this, because you sat on that committee with us and heard these concerns and issues. The consumer was concerned that they didn't have anybody to go to as a last resort if there was an issue to deal with an insurance company, either in the handling of a claim or just in the pricing of an auto policy. We felt it was crucial for us to build into the new auto plan the creation of a position at the Ontario Insurance Commission of an Ombudsman.

This Ombudsman will work in conjunction with other initiatives the industry has voluntarily started to develop; that is, their own various levels of Ombudsman. If there's a concern by a consumer with respect to this particular product, they will first go to their broker and the broker will have an opportunity to deal with the problem. Then the consumer can resort to an Ombudsman within the company writing the automobile insurance policy, because the industry, the providers of the product, have to make a serious attempt to come to grips with concerns their consumers bring, as a corporation of any other consumer product would do. Then the industry in general, as a group, is putting together an Ombudsman program, so that will be the third level of complaint, so to speak, a consumer can go to to have their concerns dealt with.

Finally, the Ombudsman at the Ontario Insurance Commission. We believe that position will be very crucial in allowing an opportunity for claimants and regular payers of automobile insurance premiums to deal with problems they have with respect to industry practice.

Many times I have heard complaints and concerns about two words, and they came up many times in our committee process. Those words are "Facility Association." For those viewers who are watching today who

are not quite familiar, and I suppose they're lucky that they haven't had to meet those two words, Facility Association is effectively the high-risk insurer in Ontario for automobile insurance. That's a plan that's been put together by the industry to come to grips with how we provide insurance to individuals who have demonstrated a high driving risk or a potential to be a high driving risk.

Dealing with high-risk drivers and appropriately pricing that risk, I believe Ontarians would agree a bad driver should pay a high rate, but the problem with Facility Association is that it was using some rules, some rating schemes, to determine who would get into that category. One of the rules they used was something called the "lapse of coverage" rule, and the lapse of coverage rule effectively said, "Listen, if you don't have insurance for 12 months of the last 24 months, we can conceivably put you automatically into the high-risk driving category." That rule is there to identify individuals who will drop out of the insurance market because of a bad driving habit and then reappear and expect to be written into what's called the regular market at regular rates, rates you and I would be paying.

That's what that rule was clearly designed for. I was not convinced through the consultation process that the rule was actually applied as it was supposed to have been applied. As part of the rollout of this new particular plan, we encouraged the industry, and it has voluntarily agreed, to disengage, to stop the use of the lapse of coverage rule for determining who is eligible or not eligible for the Facility Association.

That's not the end of the Facility Association and the high-risk driving work we need to do; there is a lot more to be done. As a government, we need to work with the industry and consumer groups to determine how one properly identifies and prices those risks. We have agreed to work with the industry and consumer groups through the remaining part of this year to try to come to grips with what those changes to Facility Association should be.

Many retirees came and spoke to me. They said to me that it was ludicrous that they were paying \$1,000-a-week net coverage when if they got involved in an accident they didn't have an economic loss; their pension still paid. Because, as I said earlier, the previous government believed everybody should have the same plan, they were paying for coverage they would never have an opportunity to use. We tried to design the plan so that retirees wouldn't end up paying for a product they could never use. As a result, we've instructed the industry, through this plan, to offer discounts to retirees to reflect the fact that their economic loss is probably very low, if any, and that they are entitled to a system that's different from the system that perhaps you and I, who have not retired and are still attempting to earn an income, are interested in receiving.

1550

Along that line, because not all Ontario drivers are the same, we have decided to design a package that will allow individuals to top up their coverage to suit their own financial needs. We customize our retirement plans for our own personal needs. We customize life insurance

for our own personal needs. We customize our own home or apartment insurance for our own personal needs, depending on the size of a house or apartment, depending on the contents we may have in that apartment. We even customize our bank accounts. Many of us have either savings accounts or chequing accounts or chequing-savings accounts. We do that because we're not all the same. So we needed, we believed, to provide Ontarians with a product in automobile insurance that they could customize to suit their particular financial requirements.

Last Wednesday, I had the good fortune to be in Ottawa speaking with a group called CFAIR; that is, Citizens' Forum Advocating Insurance Review. I'm sure the members from the Ottawa area have heard from them; if they haven't, they probably will. They were extremely happy with the pro-consumer actions that we had taken in this legislation and were looking forward to working with us and the industry to finalize the reworking of Facility Association and how we deal with high-risk drivers in this province.

There are approximately six million cars on the road, and owners of these cars collectively in Ontario pay billions of dollars in automobile insurance premiums annually. But according to the Canadian Coalition Against Insurance Fraud, 12% to 15% of every premium dollar is paid out in a fraudulent claim. That's \$160 for the average Ontario motorist each year paid out in fraudulent claims. It's clear that something needs to be done about this, and we have taken some steps to deal with fraudulent claims.

We will require the pre-inspection of all vehicles before insuring them for the first time. Pre-inspection has been tried in several jurisdictions and some of the states south of the border and has proven to be effective in keeping down the fraudulent claims component of an automobile insurance policy. Insurers will now have the ability to suspend accident benefit payments if there is wilful and material misrepresentation made by the insured. New controls on accessing accident benefits will also reduce fraud and fraudulent claims.

We have brought new offences into the Insurance Act. These new offences have been created for claimants, health service providers and repair shops that knowingly provide false information in order to obtain insurance compensation. As well, it will also be an offence under the Insurance Act to sell or use false pink slips. The pink slip, as you're familiar, is the evidence of insurance coverage that people get when they renew their policy. These are new offences under the Insurance Act in addition to any related criminal offence that currently exists.

But what about the uninsured driver? Again, through all the levels of consultation we kept hearing about the fact that somewhere in the neighbourhood of 10%, even 20%, and I heard higher numbers, of the drivers in Ontario did not have the required automobile insurance coverage. Is it 10%? Is it 20%? I don't know. Either number is unacceptable to the honest, hardworking drivers of this province who are paying that cost.

We decided to deal with that. In this new legislation we will be increasing 10-fold the fines for driving

without insurance. For a first offence, fines will now range from \$5,000 to \$25,000.

But maybe even more important, we need to identify who these uninsured drivers are and either get them off the road or get them buying insurance.

We need to make sure that in this day and age, when we can communicate across the world via computer using the Internet facilities, the Ministry of Transportation, of all places, has on a live and real-time basis a record of who is insured in this province so that, Madam Speaker, when you go, as I know you've done, to the Ministry of Transportation to renew your plate, the ownership certificate for your vehicle, they will know whether you've got insurance coverage. There will be no requirement for them to ask you: "Do you have auto insurance? Who is your insurer and what is your policy number?" They will know that.

In addition, highway traffic officers will be able to verify insurance coverage on the spot when they pull a vehicle over and will be able to deal with that uninsured vehicle on the spot, as opposed to waiting till an accident has occurred and you and I pay the cost.

Let me speak briefly to the actions that benefit the no-fault component of our plan so I can briefly sketch out what we have done. We've made substantial changes to the no-fault accident benefits that are available and these changes were made to return the payment of benefits as much as possible to an indemnity system, a system that pays one for loss as opposed to the entitlement system of Bill 164.

Some other significant changes deal with income replacement. Currently, it's \$1,000 net a week, as I spoke to earlier, clearly well in excess of what the average Ontarian would need. We've lowered that, so the income supplement will be 80% of one's income to a maximum of \$400 a week. You can buy additional amounts if you wish, but that's your choice. That's where one will customize to suit their own particular needs.

Non-earners will have access to an income supplement, but only after a six-month waiting period. Caregivers will be entitled to a maximum of \$250 a week on an expense-incurred basis, plus \$50 for each additional child. Those who are catastrophically injured will have access to \$1 million in medical and rehabilitation benefits, while those in the non-catastrophic category will be eligible for \$100,000. These benefits will only be accessed as long as the claimant has provided the insurer with a treatment plan.

I saw many claims as I went through my review process and I should say to you that most of those claims, the lion's share of those claims, were administered with no treatment plans, no road map whatsoever as to what the value of the medical and rehabilitation treatment would be to the insurer or to the insured; no knowledge or no reason as to why six treatments were required or 10 treatments were required, no road map as to what the expected outcome of those treatments would be and, hard to believe, no estimate of the costs of the expected treatment.

This plan will end that. That benefits consumers because finally claimants will know what the benefits are that they will get from a particular treatment plan. They

will know why they are going and how it's expected they will benefit from this particular plan.

We've streamlined the entitlement benefits section. I want to briefly talk about a story that was related to me — it was not a story, it's an actual claim situation that was related to me while I was speaking to a group of claims managers in Barrie, Ontario.

A gentleman came up to me and said that his company was actually paying income replacement benefits to an individual who was serving time in one of the penitentiaries in Kingston because apparently this claimant was employed at the time and was injured in a car chasing away from the scene of a crime. Now the insurance company is paying an income supplement to this individual.

1600

Under this new system, somebody injured in a vehicle while using it to commit a criminal offence will not be entitled to income replacement benefits. Those caught drunk driving, failing to provide a breath sample, operating their own uninsured vehicle, operating a vehicle without an owner's consent and driving without a valid driver's licence will be ineligible for income replacement benefits, non-earner and student benefits, housekeeping benefits or visitor benefits. These measures return accountability to Ontario drivers.

Let me just briefly speak about the part of the plan that allows one to sue the at-fault victim for recovery. Finally, innocent accident victims will be able to sue for their economic loss. This is a return to the right of action in the tort that the previous government decided it should discontinue. Claimants will be eligible via the court system to sue for 100% of their gross income post trial date. For pain and suffering damages, what's called the general damage category in insurance language, claimants will have to meet a verbal threshold, a verbal definition of the level of severity of the injury. That will require that the injury be permanent and serious. The claim will also be subjected to a \$15,000 deductible. This measure ensures the system will not be abused by frivolous claims.

I want to close, and if I can, pass some of my time off to my colleague from Halton North. But in closing, I want to make sure that this House and the people watching today are assured of the fact that when we designed this system, we did not design this system to suit the needs of lawyers. We did not design this system to suit the needs of the health practitioners involved. We did not design this system to suit the needs of the insurance companies. We designed this system to focus on the needs of Ontario drivers. This is finally a plan we believe that Ontario drivers can see for some time, because it's a good balance of both of the components of an auto plan.

It will need to be tinkered as we go forward, no question. I'm not going to stand in this House and say we have this plan perfectly designed and engineered. It will need to be worked, it will need to be managed as we go forward. All stakeholders involved share some responsibility in managing this product to make it work — all stakeholders involved. But if we do that, if the stakeholders are prepared to work this plan and make it happen, I believe we have designed a system here that Ontarians

can pass on to their children, a stable product, finally, that's not changing every time a government changes.

I look forward to hearing the debates and comments of my other colleagues in this House. I will now pass my time over to my colleague from Halton North.

Mr Ted Chudleigh (Halton North): As the member for Halton North, the introduction of the Automobile Insurance Rate Stability Act by Finance Minister Ernie Eves last week was good news for my constituents, all consumers, drivers and people in the province of Ontario, and perhaps chief among them, Mr Ron Downey, who I know is a regular watcher of this show.

There are a number of balanced measures introduced which will contribute to fairness and public safety. I will talk about many of these measures today. The cornerstones of this legislation speak to improved rate stability, taking action against those irresponsible enough to cheat the current system by committing fraud or avoiding to insure their vehicle, and restoring the limited right to sue for innocent accident victims.

I do not wish to spend too much time today on the existing Bill 164 other than to make a few brief comments. It is evident to most why changes to the current auto insurance legislation are necessary. The previous government's no-fault legislation was based on admirable goals, but in reality it fell short on expectations. It did not attack the fundamental problems which automobile insurance currently has. Simply put, the no-fault auto insurance product under Bill 164 cost too much. In 1995 most consumers were faced with double-digit increases which mirrored similar increases in 1994. With inflation hovering around 2%, consumers could not afford to face another year of double-digit increases in auto insurance rates, nor would they put up with it.

Under Bill 164 almost everyone injured in an auto accident was entitled to generous benefits instead of being compensated for actual losses. Sadly, in some cases generous benefits led to abuses in the system and encouraged fraudulent claims. These abuses and high benefit levels caused all insured drivers to pay higher premiums and in many cases to pay for additional coverage which was only needed by a few.

Finally, before turning to the legislation which is now before the House, Bill 164 penalized all drivers and accident victims. Those with good driving records were burdened by paying an increased premium rate to compensate for bad drivers. As well, innocent accident victims through this system paid at-fault drivers and were limited as to any legal channels which they may pursue by unfairly restricting their right to sue. In fact, with no access to tort or the right to sue for economic losses under Bill 164, there is little or no deterrent to negligence, and in many cases the system does not adequately compensate victims for actual loss.

We believe that the Automobile Insurance Rates Stability Act will not only have a stabilizing effect on insurance rates by providing an environment for healthy competition in Ontario, but it will also put in place an important mechanism necessary to ensure that benefits paid out are reasonable and fair.

To achieve stability it is necessary to implement mechanisms that will control costs. Accident benefits

under this legislation will provide all drivers with basic levels of protection. The maximum income replacement benefit is \$400 a week. For people with collateral insurance plans in the workplace or other personal disability plans, the benefits will act as a top-up mechanism to ensure that claimants receive 80% of their net income.

Some will charge that the new maximum income replacement benefit is simply not enough. In some cases they would be correct. That is why we have built flexibility and choice into the system which will allow individuals to purchase additional coverage. We have to remember that, like any other financial product, auto insurance should have options available for customers who require flexibility to suit their own needs. These changes allow individuals to purchase additional benefit layers from \$200, \$400 and \$600 per week.

There may be some who will say that the new system is one where the well-to-do will get some kind of Cadillac treatment in a system only they can afford, or that costs will not decrease because of the need to buy additional coverage to compensate for reduction in benefits. The facts are that the new basic benefits will cover 50% of the workforce, and when collateral benefits are considered, a large majority of the working population will have full income replacement protection without needing to buy additional coverage.

Other cost-saving measures will include modifying no-fault payments for medical and rehabilitation expenses to differentiate between the severely injured and the less severely injured; requirements for filing treatment plans; definitions for "accident," "catastrophic impairment" and "health practitioner"; and stronger measures to control and combat fraud. It is this topic which I would like to turn to next.

1610

Fraud is something that is difficult to put a price on. There is no doubt it exists, and it is up to the total auto insurance industry and government to tighten up the system to discourage abuse. Sadly, some in our society still believe that it is okay to cheat the system because of its size. The prevailing attitude might be that someone else will pay for it. This legislation takes a much harder line on criminal activity as it creates three offences targeted at fraudulent activity by claimants. Fraud claims by claimants will now face stiffer penalties, starting at \$100,000 for the first offence and up to \$200,000 for each additional offence.

Other fraud-detering measures will include suspending benefits to a person who does not comply with reasonable requests for information; requiring insurers to pre-inspect all vehicles as determined by regulation before insuring them for the first time; and requiring insurers to share information with the Ministry of Community and Social Services to reduce double recovery of social insurance and accident benefits.

The final measure that I want to mention today and spend a moment on is cracking down on the uninsured driver. Now, fellow colleagues, this crackdown strikes at the very core of those unwilling to pay their fair share for the privilege of driving, not the right to drive, on Ontario's highways.

More importantly, it is also a matter of public safety. There are examples of vehicles on Ontario's roads today which could not meet safety specifications, are uninsurable, yet still travel on our highways, driven by those irresponsible enough to take the risk.

There are also drivers on our roads who, through every fault of their own, are high-risk drivers. They have been reckless and have produced bad driving records for themselves over the years, so bad that they can no longer afford to pay the insurance premiums but drive anyway.

For those irresponsible enough to pursue this course of action the penalties will be stiff. A first offence for those who are uninsured will range from \$5,000 to \$25,000, and subsequent offences could cost as high as \$50,000. Those who drive uninsured will, at their own peril, be unable to sue if involved in an accident. The Minister of Transportation will assist in this process, as it will require insurers to provide verification of insurance coverage and will introduce wrecked-vehicle legislation in the near future.

The bottom line here is that Ontario's roads will be safer to travel on in the future, and that is good news for everyone.

The other benefit of this crackdown is the encouragement of uninsured drivers to start paying for their driving privileges and reduce the monetary burden on the system. In the real world the customer is king; that is why I am excited by the prospects that this legislation presents. Insurers and brokers will have to become more accountable and responsive to the needs of the consumer. Many people experience difficulty with their insurers, and during the hearings of last winter we met many of them. Disputes can often be time-consuming and frustrating, not to mention the resources invested and lost when fighting a claim.

As a first step, this legislation directs all insurers to establish a formal complaints mechanism for their company. More importantly, this legislation introduces an insurance Ombudsman at the Ontario Insurance Commission to respond to all complaints that have not been settled and investigate cases when necessary.

This legislation protects consumers against rate gouging. It requires brokers to provide consumers who are shopping for insurance with all information gathered on their policies. Brokers will declare in all cases whom they represent, whom they requested a quote from, the amount of the quote and the insurer's claim management practices rating.

It also introduces a simplified automobile insurance rate review, wherein the Ontario Insurance Commission, upon an overall rate review, can subject insurers to a more stringent review process if their rates are set too high over a recognized benchmark.

Another important consumer initiative affects those less able to pay high premiums. Many seniors who have retired live on fixed incomes. Insurance premiums often become burdensome to seniors in that their increases eat up a disproportionate amount of their fixed incomes. To reflect this reality and increase fairness in the current system, this legislation requires insurers to offer discounts to retirees.

The last point I will touch on today is that this legislation restores an innocent victim's right to sue for the most important losses over and above benefit levels. Under the current system, there is no access to the courts for economic losses and in some cases at-fault motorists are receiving more compensation than those who are not at fault. It is our belief that the reintroduction of tort, or the right to sue, will act as a deterrent to negligent driving habits and will have a positive impact on premiums of good drivers. However, even in re-establishing the right to sue, limits are in place to prevent the process from getting out of control while discouraging or minimizing nuisance claims in the courts.

As for compensation claims which could encounter a lengthy court settlement, the new legislation tries to ensure that insured accident victims have timely access to compensation and medical and rehabilitation benefits they need. It also includes early settlement provisions like increased disclosure of information, use of mediation to settle claims before commencing tort actions, and notice of claims. All accident victims who want to make tort claims will have to follow these procedures and insurers will have a duty to settle claims as quickly as possible.

All said and done, this act improves the balance in the system for consumers and the industry. To be perfectly frank, there are probably very few people in the province who like paying insurance premiums, no matter what their rate. However, we as responsible citizens realize that we live in a world where an uncertain future causes us to assess potential threats to protect our wellbeing. While none of us can control or predict the future, we all know we can make decisions to be better prepared to face it. Auto insurance helps guarantee some measure of peace of mind, but it shouldn't make us broke. The changes made by our new legislation will help contribute to that peace of mind and ensure a smoother ride for all Ontarians.

The Acting Speaker (Ms Marilyn Churley): Questions or comments? Further speakers?

Mr Peter Kormos (Welland-Thorold): Here we are, 1996, the third —

Mr Sampson: Thank God for the rule about 90 minutes.

Mr Kormos: As a matter of fact, I was taking a look at the rules, and notwithstanding the efforts of the last government to restrict leadoff speeches to a mere 90 minutes, the Speaker may or may not be aware of rules which permit exceptions to that. The Speaker may or may not be aware of them; I'm not aware of them at all.

I find myself in the peculiar position of once again debating auto insurance, for the third time in as many governments. Here we are, and in some respects we've come almost full circle. At the end of the day, we find ourselves back to where we began, that is to say, pre-Bill 68. I'm going to speak to this, if I may, but I'm going to speak to it with respect to the fact that it was the very structure of pre-Bill 68 that gave rise to this passion for, this orgy of, so-called insurance reform that flowed first with Bill 68 and then subsequently, with the next government, with Bill 164, and here we are with Bill 59. Bill 59 has as much a misnomer for a title as any bill could ever have: An Act to provide Ontario drivers with fair, balanced and stable automobile insurance. The problem

is that the last two governments referred to their reforms in much the same language.

Speaker, you know I have some strongly held views on the issue of auto insurance. It was remarkable that just earlier today we were talking about one-armed bandits when the Minister of Consumer and Commercial Relations announced that this province was going to be infested in short order with slot machines, one-armed bandits. I mention that because it's not inappropriate that we be discussing the two-armed banditry of the insurance industry in the same afternoon as the Minister of Consumer and Commercial Relations speaks of one-armed banditry.

1620

I also want to indicate that I'm grateful I've got a chance to speak to this. This is called the leadoff speech. I reflect on the fact that in the first term I had here at Queen's Park, I was blessed with the opportunity to be, among other things, the auto insurance critic. Then I found myself, in the course of the last government, once again being an auto insurance critic, although that certainly wasn't by way of plan on the part of the leadership.

It was interesting. After the June election in 1995, we became a much smaller caucus, no two ways about it, but what happened is that the caucus was assembled — I think I can say this, because I don't think I'm telling stories out of school when I mention this — the caucus got together and the leader said, "I'm going to appoint critics' roles and I want everybody to write down a list of the three critics' roles they would prefer, in order." I wrote down three critics' roles and, regardless of what I had written down, I was made critic for consumer and commercial relations. The letter I got from the leader announcing, "You're going to be the critic for consumer and commercial relations," had in very bold print, "and this does not include auto insurance." I recall that letter well, because of course one would think that auto insurance would fall within the realm of consumer issues, consumer and commercial relations, but technically it doesn't.

I want to get back to that, but I do want to say with respect to Mr Sampson, the parliamentary assistant, and his role in this matter, that he was charged with the responsibility, yet — do you know what's incredible? I've got to reflect on this. I don't wish Mr Sampson ill in any way, shape or form, but I remember the parliamentary assistant for then Minister Murray Elston back during Bill 68. Murray Elston, you recall, was the Liberal minister in charge and responsible for Bill 68. How that came about, you'll recall, was that the then Premier, campaigning in 1987 after two years of, quite frankly, relatively good government — because for those two years, 1985 and 1986, because of the accord, a whole lot of progressive legislation was passed by that government because it was part of the New Democratic Party agenda. It was remarkable.

At the same time, it was the success and the popularity of the New Democratic Party agenda which the government was forced to implement which made the government popular enough — remember the Liberals? — to be elected in unprecedented numbers, very similar to this

government. There were so many Liberals here that they had to have a rump, just like this government has. That is to say, there were so many Liberals that there wasn't enough room for them over on the government side but they sat over here on the opposition as well.

But I remember Rick Ferraro, a good friend, and he was the parliamentary assistant for the minister, Murray Elston. The minister wasn't around; Murray Elston, the Liberal minister, wasn't going to touch Bill 68 with a 10-foot pole. He knew something that Rick Ferraro, his parliamentary assistant, didn't. Again, the utmost respect for Rick Ferraro, but he was the parliamentary assistant charged, and he did an excellent job of dealing with that messy proposition of Bill 68, of putting it through committee and then through the House in very much the same role as Mr Sampson had. Bill 68 passed, of course, because the government of the day, the Liberals, had this incredible majority. But Rick Ferraro then, notwithstanding his best efforts, burned as bad as he was by Bill 68, lost in the 1990 election.

I suspect that I was blessed in some respects, because of course by the time Bill 164 was steered through the House, I had nothing to do with it, thank goodness; I wouldn't have had anything to do with it. But the person in charge of that was similarly defeated. I don't wish Mr Sampson any ill, but it seems that the legacy attached to insurance reform is that when we're dealing with a private, profit-motivated corporate insurance sector, there is some risk attached to that.

Mr Sampson has done yeoman service in the process, because it was very early on in this government's term that Mr Sampson was charged with the responsibility for so-called auto insurance reform. I do want to thank him because, to be very fair, he had me in his office in relatively short order, talking about what he was about to do and engaging in what was in fact consultation. The problem is he knew exactly what I was going to tell him; there were no surprises in the course of our conversation. But I am grateful for the generosity demonstrated by Mr Sampson in the course of asking me, along with more than a few other people. As a matter of fact, it was interesting because I was able to bring two constituents along, Jeff and Rose Morabito from down in Welland — they live over on the corner of Denistoun and West Main — hardworking folks who were visiting up here in Queen's Park, and the parliamentary assistant, Robert Sampson, had no qualms about them sitting in as we had our discussion.

They were impressed, Jeff Morabito and Rose Morabito. Hardworking folks, drivers, of course, taxpayers, hard workers. They've got three wonderful kids. The boy just broke his leg. Saw him in a cast the other day over at Chippewa Park during Day in the Park. They were impressed, among other things, with the luxuriousness of Mr Sampson's office and surprised — mind you, they didn't vote; the folks from Welland-Thorold can't be blamed for this government — but they were over there in Mr Sampson's, the parliamentary assistant's office, not a cabinet minister, but a parliamentary assistant, over in the finance building, and they were impressed by the luxuriousness of his office and a little shocked and surprised that a government that would preach restraint

would indulge itself in such plush carpet and such finely upholstered furniture.

None the less, notwithstanding my good friends and constituents Jeff Morabito's and Rose Morabito's response — Rose Carey is the name she uses; it's her maiden name — to Mr Sampson's office, he did bring me in and talk about what he was proposing to do and the type of process he was going to embark on. I thought that was eminently fair of him and open-minded, again notwithstanding that it was one of those things where he knew exactly what it was I was going to say.

Similarly, I watched and participated in the auto insurance hearings. From time to time, I was substituted for the caucus's appointment to that committee, and on those occasions when I wasn't a substitute, I attended as of right as a member of the Legislature and again was accommodated by Mr Sampson and all the members of the committee.

I recall those committee hearings across the province — gosh, we were up in Ottawa among other places, we were in London — across the province of Ontario. It was a little bit of a done deal, because the government had a draft piece of legislation. It wasn't a matter of starting with — what do you call it, a tabula rasa? Is that the right word, tabula rasa? It wasn't a matter of going in with a clean slate and going to people and saying, "Look, you've had experience now." By then, they had had experience with three regimes, not a whole lot of experience with either 68 or 164. "What are the issues? Tell us what the issues are." No. Mr Sampson, or whoever it is who writes this stuff — I've got a feeling that Mr Sampson did not sit down quill in hand, parchment in front of him, writing the draft legislation. But it remains that rather than going to the public and saying, "What are the issues that have to be addressed?" there was a proposal.

1630

I'm going to tell you up front and candidly that I, on behalf of the New Democratic caucus of the day — and that was during the course of the Liberal government from 1987 through to 1990 — fought and resisted the so-called no-fault insurance of David Peterson. You'll remember how that came about. Talk about policies being written on the back of an envelope in the executive seat of a government jet.

Here we had then Premier David Peterson campaigning and in the pressure of a scrum, to the dismay of his handlers and keepers and spin doctors and speechwriters and media relations people and pollsters, as a result of the pressure that New Democrats, Mel Swart in particular, had been putting on the government, which had been persistent, David Peterson blurts out, "Oh, we have a very specific plan to reduce auto insurance premiums." Holy zonkers. That sent the spin doctors and the media relations people and the scriptwriters and the handlers and the keepers running and scrambling. Peterson was scooped up. There were people nearby who thought there had been an abduction the way David Peterson was scooped away by these Liberal hacks and thrown into the back seat of the limo as it sped off. They were going, "What the heck are you talking about, you've got a very specific plan to reduce auto insurance premiums?" I wasn't there, because I was down in Welland-Thorold

campaigning for Mel Swart, who of course was successful in 1987, but I'm sure the Premier of the day, of the Liberals, said, "Well, don't we?" It was one of those: "Huh? I must have meant it if I said it."

We then witnessed a remarkable departure into the bizarre and the weird and the strange, because it wasn't the first time auto insurance had been dealt with. What happened is that the Liberals spent millions of dollars on the OAIB, the Ontario Automobile Insurance Board, set up high-priced offices up there in North York. Mr Sampson will be familiar with them. He's been in them, not during their life as Ontario Automobile Insurance Board but during their life as Ontario Insurance Commission.

The problem was that there was an enhanced level of redundancy inherent in those OAIB hearings, because there had already been the Osborne commission. The Osborne commission, back in April 1987, received submissions from a number of people across the province, among others a document called Highway Robbery, which is why I don't hesitate to refer to the auto insurance industry as the two-armed bandits of Ontario in contrast to the one-armed bandits that the Minister of Consumer and Commercial Relations wants to see in every corner of every block of every city, village and town in the province, so that every desperate, sad Ontarian can keep plunking their nickels, dimes, quarters and loonies into them in hopes of the big payoff, which of course will never happen.

Highway Robbery was very much an important document in the course of where the New Democratic Party in this province stood in terms of auto insurance. It was authored by Bob Rae, then leader, and Mel Swart, who was the financial institutions critic for the New Democratic Party. It was based in no small part on the history of public auto insurance in provinces like Saskatchewan, of course, where Tommy Douglas created the first public auto insurance system in this country — by God, in North America — in Manitoba, and of course in British Columbia where Dave Barrett, a New Democrat, introduced public auto insurance.

It also expressed a strong need to retain the tort rights of innocent victims. Here we have to spend a little bit of time talking about this whole phenomenon of what's called no-fault. I listened carefully to what Mr Sampson had to say today, as well as listening to the volume of commentary he made during the course of the hearings. There really is a misnomer about no-fault.

The fact is that the concept of no-fault has not inappropriately been attached to New Democrats. The fact is that there was a no-fault component in the automobile insurance package prior to the Liberals' Bill 68. Mr Sampson knows that. Anybody who was ever involved in the auto insurance industry or involved in struggling to get compensation for a victim is aware of that. It was New Democrats who fought to get the no-fault component into automobile insurance here in the province of Ontario, because the Democrats recognized that it's not just the innocent victim who requires assistance in terms of rehabilitation and medical care and, yes, wage replacement, but also there are people — and Mr Sampson referred to them. I don't quite agree with his interpreta-

tion of what causes accidents. It's strange, because Mr Sampson appears still to be suffering from some of that difficulty in comprehending what no-fault is and what it ought to be.

The fact is that there was a very modest level of no-faults, and one of the criticisms by New Democrats and Mel Swart to the Osborne commission back in April 1987 was that the level of no-fault income replacement in the pre-68 legislation was so modest, it was capped at \$140 a week. What no-fault means is that regardless of whether or not you're an innocent victim, you receive some wage replacement, and part of the no-fault package of course is rehab costs and long-term care. New Democrats have always recognized that no-faults are an important component of any auto insurance system.

Let's talk about the fact that Mr Sampson hasn't abandoned no-fault in his proposal. What he's done, though, is very much put it under attack. You see, the Liberals when they presented Bill 68 pathetically tried — let's remember. You know what's really peculiar —

A thunderclap was heard.

Mr Kormos: I'm glad the elements are on my side.

Mr Chris Stockwell (Etobicoke West): Whoa. Somebody doesn't agree with you.

Mr Kormos: That was applause, from far higher sources than we're going to find in this chamber.

We advocated as New Democrats a system of full recovery for innocent victims and a guarantee of a decent level of income replacement, medical coverage, rehabilitation and long-term care for those injured persons in motor vehicle accidents for whom there was no at-fault party and who were either at fault themselves or for whom there was nobody basically to point the finger at.

Bill 68 brought in — and let's remember where it came from. This is where I have some real trouble. The problem is that Mr Sampson's only been here for a little bit of time. I understand he used to be — and I don't want to offend him — a banker or a banker type before politics. I suppose at the end of the day I've nothing against bankers or banker types. Mind you, if I were a victim of the exorbitant user fees banks in this province, in this country, are imposing upon working people with which they generate their billions of dollars in profits, I should have something against bankers. But that's not the focus.

Mr Sampson: Bill 59.

Mr Kormos: Mr Sampson here reminds me, "Ah, we've got to be talking about Bill 59," and I digressed and started talking about him. He appears to have reflected on the fate of the last two drivers of auto insurance reform and now wants people to speak less about him and more about the legislation. I can understand that concern.

1640

But you see, to keep tabs on the automobile insurance industry is tough because the numbers are certainly in three digits. It's in excess of 100, but some days you hear there are 110 of them, 120 of them, 130 of them. Who knows how many private corporate sector auto insurance companies there are in the province? We know they're making a whole lot of money, always have been. You know what? Always will.

How does an insurance company make money? Simple proposition. When you're a profit-motivated insurance company, how do you make money, Speaker? I see you've got pen in hand, you're doing the calculation. You know darn well how you make money if you're a private, profit-motivated, corporate sector auto insurance company. You charge the maximum amount of premiums and pay out the least amount of benefits. It's an industry that by its very nature has to have short arms and deep pockets to make the maximum amount of profits. Not only do they have short arms and deep pockets, they also have short memories, because it was the auto insurance industry that fought tort.

Mr Sampson, parliamentary assistant, steering Bill 59 through the Legislature, please reflect on the fact that it was the auto insurance industry in its submissions to the Osborne inquiry that said no, it's tort, it's the rights of innocent accident victims that are generating these premium increases that were under attack at the time. They introduced — well, they called it smart no-fault. What an oxymoron. Smart no-fault? Give me a break. They proposed no-fault to the Osborne commission. Osborne told them what the Ontario Automobile Insurance Board told the industry a mere couple of years later, that no-fault in itself would not generate savings. It can address other issues. It can address issues like the adequacy of compensation, income replacement, medical rehab, long-term care for injured persons for whom there isn't an at-fault driver or an at-fault vehicle to point the finger at.

I sat through these hearings most recently and here we had these auto insurance companies — friends of Mr Sampson's, no two ways about it. There was a great schism in the industry during the course of the hearings. We're not talking about little players; we're talking about the top five auto insurance sellers here in the province of Ontario. Among those top five we had some of the biggest saying that Mr Sampson's bill was going to generate premium increases of in excess of 10% and 11% a year. We got others who rather coyly said: "Thank you, Mike Harris and the Tories. You've given us the combination to the safe. We're happy as pigs in a barnyard. We're going to be able to make money now like we've never made it before." That was the division within the industry.

Something happened in the back rooms, something sordid, I'm sure, and something unspeakable. But something happened in the back rooms because by the time we got around to Bill 59 being presented, you'd got the industry here and they were ad idem, so to speak. They're speaking with one voice. All of a sudden, somebody's twisted a whole bunch of arms and they've decided they'd better stop warning people about the premium increases that are inevitable. That's what they were telling folks. You're going to hear from Ms Lankin, the member for Beaches-Woodbine. She was there; she heard them say that. It's on the record, it's on Hansard — major auto insurance companies in this province warning of double-digit premium increases with this bill. Not ne'er-do-wells, not errant, fly-by-night operations; some of the largest, among the top five, telling folks here in the province of Ontario that Mr

Sampson's and Mike Harris's auto insurance bill is going to generate double-digit premium increases. Here were people who were either being outright less than honest — either they were lying or they were confused or they were telling the truth. Those are the three choices we have, don't we? Fair enough. I understand those are the three choices we have: They were lying, they didn't know or they were telling the truth.

We're looking now at a complete reversion to the system that existed prior to Bill 68, the very system of auto insurance that generated the double-digit premium increases that created this sense of crisis. Heck, I remember when Mr Kwinter and Mr Sorbara were answering questions here — they were the ministers of financial institutions, if I recall correctly, and then Murray Elston — about the double-digit premium increases. They were grappling with a product that was what we have here with Bill 59.

I'm going to be quite honest when I say I support the restoration of tort. It's incredibly important that innocent accident victims have the right to full recovery of all of their losses. It's unconscionable that an innocent accident victim should not be able to be compensated for their economic loss, and quite frankly for their pain and suffering, which leads me to comment of course on the tinkering with that right.

Mr Sampson's trying to be all things to all people. It just doesn't work. Ask the last government. You can't do it. You can't be all things to all people. You've got to pick sides. There are sides in every issue and you can't be all things to all people. The litigators —

Interjections.

Mr Kormos: Mr Flaherty should have been here.

The lawyers saw in terms of Bill 164, which was nothing more than an evolution of Bill 68, which is exactly what the industry wanted, a pure no-fault system. Bill 164 as much as gave it to them. Auto insurance companies relish the prospect of not having to be involved in litigation. Mr Sampson wants to — look, I shouldn't blame it all on Mr Sampson. Clearly it's the Conservative government here in the province of Ontario which tried to take on the challenge of premium increases.

Mr Bill Murdoch (Grey-Owen Sound): No, no, don't blame us all; go back to Mr Sampson.

Mr Kormos: Mr Murdoch is saying: "No, don't hang me with this. Boy, oh boy, I want to get re-elected." He's been elected twice now up in his riding; he'd like to go for a third time. He does not want to suffer the fate of other advocates of the respective insurance reforms, be it of the last government or the government before.

We've got a restoration of tort, but when do you have some tort but not a whole lot of tort? When you fail to recognize that pain and suffering is a meaningful and compensable injury. I don't understand the philosophy. I hope this goes into committee hearings. I wish this would go into committee hearings, because I'd be here at each and every one of them, each and every day, sitting through those hot, muggy days of July and August, questioning the parliamentary assistant, Mr Sampson. I hope they go to committee hearings. I hope Mr Sampson has to sit here in a hot, muggy, non-air-conditioned

committee room so I can question him about the rationale for there to be a failure to have full compensation for pain and suffering. I'd really like to know what the dollars and cents are, because what he's tried to do is nickel-and-dime on behalf of his friends in the insurance industry, nickel-and-dime the victim away.

1650

There's another area where we've got to express some concerns. This bill is in some respects so similar to the Liberal legislation, it's impossible to isolate this from what its real genesis was, and that was Bill 68. If Mr Sampson were being candid, he'd acknowledge that this is essentially the Liberal bill. Here we have a Conservative parliamentary assistant, a Progressive — well, far be it from me to call him a Progressive Conservative; a Conservative, we'll settle for Conservative.

Mr Murdoch: But is it better, though? Do you not think it's a little better?

Mr Kormos: You see, Mr Murdoch here plays both sides of the fence. Mr Sampson hasn't yet revealed that tendency to me, although who knows? In the next federal election he could find himself out there knocking on doors for the Reform candidate. I'm not sure. I don't want to prejudge. It's not as if he's being appointed to anything at the government agencies commission such that I could ask him what kind of political parties — a whole lot of Tories belong to more than one. You know that, don't you, Speaker? A whole lot of Tories. Boy, they want to be Tories when it comes to provincial politics, but they want to be Reformers when it comes to federal politics.

I asked one Tory — and I won't name that Tory — what that Tory would do if the Reform Party ran a candidate in the next provincial election. This Tory said, "No problem, I'd just paint him as a red." That shows you what the mindset is of the Conservatives here at Queen's Park. We're not talking about Progressive Conservatives, we're not talking about the sort of philosophy that people like Dalton Camp nurtured, and we're not talking about Bill Davis or John Robarts; we're talking about a totally new breed.

We're talking about an auto insurance plan here that the industry wrote. At the end of the day, what the industry wants, by God, the industry gets, and they got 'er again. You had George Cooke down here. Do you remember George Cooke? George Cooke has gone through many metamorphoses. Talk about being all things to all people. Here's George Cooke, one of — well, by God, I suspect he was one of the authors of Bill 68. No wonder he's ecstatic about Bill 59.

Look what they did. Bill 68 had a cap on no-fault income replacement. They started with \$450. You'll remember that, Speaker. I know you were paying attention at the time because you were watching that debate closely. They had a cap of \$450. We in the opposition — and I should mention the role of the now Solicitor General, Bob Runciman, who was my counterpart in the Conservative caucus, who, if I remember correctly, joined with me in the committee in insisting that the \$450 cap on no-fault be raised to \$600. I could be wrong, but I don't think I am on that one. I remember Bob Runciman

as an aggressive and effective spokesperson for injured people.

Mr Murdoch: He was.

Mr Kormos: I know he was. There you go, he was.

Mr Murdoch: He is still.

Mr Kormos: The Liberal proposition in Bill 68 had a mere \$450 maximum for income replacement in terms of the no-fault schedule. As a result of the persistence and effectiveness of the opposition, New Democrats and Conservatives, the Liberals were compelled to raise that to \$600.

One of the theories and one of the things that Mel Swart speaks about in Highway Robbery is that if you have a decent no-fault component, you discourage litigation, even in the case of the innocent accident victim. The fact is that most litigation deals with the lower end of compensation. Most of the tort claims deal with the lower end. We're not talking about the catastrophic injuries; that requires addressing separately. But if you have a decent level of no-fault, please Mr Sampson, you're going to inherently reduce the amount of litigation in terms of income replacement. Please listen. There's still time for amendments here. There's still time to restore no-fault benefits.

Look, I understand your argument, and quite frankly there's an argument to be made that the \$1,000 cap that was contained in Bill 164 was high. At the same time, how many people ever availed themselves of that? Because the vast majority of people who would find themselves in a position where their income replacement level would be at \$1,000 are almost inevitably in professions or occupations where they have workplace-provided income replacement. You know what we've got here? We've got still another government that's intent on picking the pockets of working people, because once again we've got a piece —

Mr Sampson: Yes, so you wanted them to pay for the \$1,000.

Mr Kormos: Mr Sampson, we've got a piece of insurance legislation that requires working people who have paid for workplace-provided income replacement to call upon that before they call upon the insurance company that should be paying it in the first place. It's called picking the pockets of working people.

An insurance company like Zurich or Dominion or Pilot — I should be careful with Pilot because I have a special relationship with Pilot and I wouldn't want to be punished for — well, the heck with them. Pilot and a whole bunch of others thrown in, and Allstate and State Farm, say, "We'll insure you but we're not really going to insure you," but they'll make sure they collect your premiums. No insurance company's ever been delinquent when it comes around to collecting premiums. Boy, oh boy, do they collect premiums. They collect them real good, but when it comes to paying out — you see, there's a persistent mythology that's present in this legislation.

I recall that during Bill 68 it was sort of, "Trust us." Do you remember that, Mr Sampson, the insurance companies saying, "Oh, trust us"? As if Mother Teresa somehow all of a sudden was appointed to the board of directors of that given insurance company. I'm sorry, an

insurance company saying, "Trust us," is like Al Palladini saying, "Don't worry about it; it's supposed to sound that way when it's idling." You just can't go for it. "The cheque is in the mail," "Your money cheerfully refunded," and the third great lie, "Hi, I'm from the government and I'm here to help you" — nobody believes that any more. The insurance industry is saying: "Trust us when it comes to no-fault. It's first-party coverage." That was the line, that was the argument. That's the company you do business with.

The fact is that your office has been inundated with complaints and concerns, just like every member's office in any community — or at least any member who has any interest at all in the insurance issue — has been inundated with complaints about the fact that the insurance industry persistently denies no-fault coverage. Then they come before this committee and say: "Oh, we're the victims of fraud. We've been victimized. People are malingering."

Horsefeathers, Speaker, and you know it. I appreciate you nodding in acknowledgement because you understand that as well in your own right. You know darn well that what we're talking about is insurance companies that have no interest whatsoever in responding appropriately to an injured party and that in some instances would just as soon pay out and charge back to the premium payer and in other instances would with malice, outright malice, terminate benefits and force the claimant into a position where that claimant had to go to the Ontario Insurance Commission, to mediation and/or arbitration.

Oh, the puffery that's inherent in this legislation, the puffery. Talking about brokers, you know what? There are more than a few brokers — I suppose they are ex-brokers — sitting here in this assembly. Why brokers are wedded to the private sector insurance industry beats me, because if the private sector insurance industry has been screwing drivers and victims for decades, and I believe it has, it has been doing it to brokers as well. One of the things that Mr Sampson and the government were well aware of — as a matter of fact, during the course of the election campaign Mr Gilchrist was part of a panel that I was on, where we met with 100, 200, maybe even more brokers, all of whom were getting the shaft from the industry.

1700

Part of Mr Sampson's package is designed so that brokers have to divulge the companies they represent. One of the myths is that you go — you've seen the ads on TV, haven't you? Of course you have. "Oh, you're in good hands with your local neighbourhood broker and your broker's going to shop for you and your broker's going to get you the best deal and your broker's going to make sure that your insurance company deals with you fairly at the end of the day." But the fact is that brokers in this province, especially small-town and small business brokers, have been used to cherry-pick by the industry, to high-grade in mining terms. That is to say that if a particular broker happens to write any number of clients for whom there are claims against that insurance company, the insurance company will simply cut the broker free. In other words, they want to be in the insurance

business but they really don't want to be in the business of risk pooling.

I'm looking forward to July and August sittings of committee, with Mr Sampson present each and every day, each and every hour of those hearings, so that I can question Mr Sampson about why it is that he and this Conservative government won't address the concerns of brokers. We've got brokers in this province — they've called in, they've pleaded with me not to identify them, and the reason will be obvious — who are down to one insurance company. Mr Sampson is going to require them to identify which insurance companies they represent. You tell me the likelihood of that broker lasting more than a week or two when that broker has to tell a customer that she or he represents only one company and they can't shop.

Here we are with another dog's breakfast. Here we are in a position where we're starting to understand, as are, remarkably, such august sources as the Toronto Star and even the Toronto Sun. Boy, was I surprised to see the Sun attack and criticize the bungling of auto insurance reform. Was I surprised to see that, the bungling of auto insurance reform. No fault of Mr Sampson's; please, don't get me wrong. In view of what the fate has been of each and every other parliamentary assistant who dealt with auto insurance, Mr Sampson is to receive sympathy; as a matter of fact, we ought to hold a fund-raiser for his retirement. Because here we go; we'd better start learning this, all of us. Even Mr Sampson, during the course of these hearings, was required, albeit perhaps merely musing aloud, to reflect on the fact that maybe it isn't the product that's creating the problem; maybe it isn't a matter of how much no-fault, how much tort, the fact that you try to shave points.

One of the things that concerns me about the caps that have been imposed here is that they are truly illusory. Mr Sampson tries to play games by putting caps on things like rehab and long-term care and by creating two classes of victims. Yet the fact remains that very few people ever reach those caps, very few victims ever do. But what does that victim do when they've reached that cap in terms of, let's say, long-term care? Mr Sampson, please. They're thrown to the wolves? Do you simply abandon them or do you recognize that the caps have nothing to do with the cost of insurance premiums? What they have to do with is creating an illusion of controlling premiums, which are never going to be controlled when you have a private, profit-motivated corporate sector selling auto insurance.

Let's reflect on the fact that the Insurance Corp of British Columbia, ICBC, one of the great legacies of the first New Democratic Party government in British Columbia, and a legacy never tampered with by even the most — well, not the most right-wing governments this country has ever seen, because quite frankly the Harris Conservatives, the Harris Tories, outdo Bill Vander Zalm even in his wackiest moments. But the fact is that even subsequent governments in British Columbia, the Socreds among others, didn't dare tinker with ICBC, a public auto insurance system, the sort of insurance system that New Democrats believe in, that New Democrats across Canada have always advocated, that I insist is the only way we're

ever going to achieve fairness for drivers and fairness, more importantly, for victims, both innocent victims and victims for whom there's not an at-fault driver or vehicle to point the finger at.

Mr Murdoch: I wonder why they didn't do that. Five years in government; five years and they never did.

Mr Kormos: Oh, Bill Murdoch here. Bill Murdoch, by God. Bill Murdoch is another fan of public auto insurance. I want the folks in Owen Sound to know that Bill Murdoch, sitting right here in this Legislature, is bemoaning the fact that the last government didn't introduce, for any number of reasons, public auto insurance. Bill Murdoch is bemoaning the fact that the last government, during the course of its term in office, didn't implement public auto.

Mr Murdoch: I wonder why?

Mr Kormos: I appreciate his concern about that. I think there's a whole lot of New Democrats, a lot of people in this caucus, who share that concern. The fact is, it's a fait accompli. The fact is that at the end of the day there was an effort to — what do you want to call it? — play ball with the industry? It didn't work out. No such thing as playing ball with the private, corporate sector auto insurance industry. Ask any victim. Let me tell you, not only are the tragic, sad victims of motor vehicle accidents victims of the insurance industry; premium-payers, drivers are victims of the insurance industry.

The Toronto Star, in its editorial —

Mr Murdoch: That's a good one to go by.

Mr Kormos: You see, the Tories don't like the Toronto Star because it's owned by neither Creighton, Godfrey et al or by Tubby Black. I suppose, if it were a Tubby Black periodical or some Barbara Amiel column, the Tories would be ecstatic. The only nice thing about Barbara Amiel's columns is that nobody ever really reads them. They're written in such sophomoric, turgid prose that nobody can ever get through one of those things without leaving for at least a coffee, if not a full dinner. Lord knows, there've been a lot of people who tried.

I have no concerns about Barbara Amiel and the sort of stuff she writes. She can keep on writing it because it gets published. Of course, it gets published because she knows the publisher, right? That's a pretty slick arrangement. She's ascended through marriage into an aristocracy that will suffer the same fate in Canada as did the French aristocracy in their revolution.

But here's the Toronto Star saying — it could have been written anywhere, it could have been written by any intelligent, fair-minded person — "If they're wrong," the Tories, "it ensures failure to stabilize rates," premiums. "We should get off the merry-go-round we've been on for 10 years and move to a system of public auto insurance."

You know what's going to happen, because we're going in rotation here and there's these little two-minute responses. Some dough-head's going to stand up and say things like, "Oh, ICBC is subsidized." Not true. Some dough-head's going to stand up and say, "Oh, ICBC has had bigger increases in Ontario." Not true. "Oh, ICBC hides its costs." Not true. ICBC not only provides full, comprehensive insurance coverage for all of its drivers with a full-tort right — none of this deductible stuff that

Bob Sampson and the industry want to impose on injured people so that the innocent victim is nickel-and-dimed. None of this stuff wherein they've got to jump through hoops to receive compensation. None of this stuff where — look, one of the biggest crises we have in this province is uninsured vehicles. I listened with great interest to the so-called plan to address uninsured vehicles: bigger fines. Dumb as a bag of hammers, if you don't mind my saying so. By God, I haven't seen anything dumber in my life.

These guys — by and large, that's what the caucus is — these folks, these Tory people, these Tories are so out of touch with the real world. Look, it's not just scoff-laws out there driving without insurance; it's senior citizens, it's working people, it's single mothers. They're not driving without insurance because they want to break the law, they're not driving without insurance because they want to play cat and mouse with the police force — and Lord knows we haven't got much of a police force left across the province because of the defunding of municipal and regional police forces by this government. There are days in any number of divisions in Niagara — seriously — where there are but one or two police officers on duty in a whole district — a bank robber's dream, a drunk driver's dream, a state of ecstasy for criminals. It's because of this government's defunding of policing.

1710

I get back to the issue of people who drive without insurance. I appreciate there's from time to time more than a few people who genuinely have no regard for the law and simply want to play bad guy with the system. The fact is that most drivers out there without insurance are driving without insurance because they're hardworking, caring, reasonable, otherwise law-abiding people who simply can't afford the premiums. As I said, it's senior citizens, it's working people, it's young people, it's single mothers, notwithstanding what your pal — I suppose he's not your pal; if you were the other Speaker I might say he was your pal — Mr Palladini says about TTC.

The fact is that in most of Ontario a car is very much a daily part of your life in rural Ontario, in small-town Ontario where a car means getting to work, means getting to the supermarket, means taking the kids to school. People driving without insurance are people who can't afford the premiums.

They're going to impose higher fines on people who get caught driving without insurance. How does that address the issue of the unaffordability of insurance, Mr Sampson? Mr Sampson and the Conservatives at the end of the day find themselves — this is an old line, but I can't resist it — so deep in the back pockets of the insurance industry that they're spitting out lint. Mr Sampson and the Conservatives find themselves apologizing for an industry that has been gouging drivers for decades, an industry that insists it isn't making any money. They cry all the way to the bank. They cry all the way to the big Zurich tower down there on University Avenue. It's a lot of tin and glass. It's a lot of premium dollars that it takes to put up one of those babies. You can see the monuments to the attacks, to the victimization of drivers and innocent victims.

We've never needed a public auto insurance system more than we do now. I'm telling you, Speaker, this government tried — no quarrel with the fact that it tried. It ended up endorsing a Liberal package that it is trying now to identify as its own, and it's a Liberal package that was created out of the hysteria of a response to a dumb comment by a Premier of the day who was in the heat of the final days of an election campaign and who was desperately trying to fend off the attack on that government over the crisis that they were participating in in auto insurance. The fact is that at the end of the day, I'm telling you, and you folks had better listen too — one of the interesting things about the timing of this is, here you are, one year into your mandate.

I have no doubt that that greedy, voracious industry — the private sector auto insurance industry. We've got nothing here about a bonus-malus system. We've got here the creation of an Ombudsman. What a pathetic joke. We already have an Ontario Insurance Commission, Mr Sampson, which hasn't been doing its job in any event. I wonder what Frank Sheehan — he's part of that make-work team for Tory backbenchers, the Tory workfare, the one where they put Frank Sheehan and a bunch of backbenchers together and talk to them about red tape. All they did was recycle a bunch of old government announcements, but I suppose it beats finger-painting or colouring books. They put them in a back room and tell them to produce some sort of document and have some sort of puffed up, fluffed up press release, which didn't get a whole lot of attention in any event.

I wonder what Mr Francis X. Sheehan, Mr Anti-Red Tape, has to say about the creation of a so-called Ombudsman's office when we already have an Ontario Insurance Commission which is supposed to have a process for resolving disputes. I wonder what Francis X. Sheehan from down in Lincoln, Mr Anti-Red Tape, has to say about that. The fact is, at the end of the day, and we all know this, regulatory bodies as often as not tend to be co-opted by the industry that they purport to regulate. The insurance industry has once again had its way with innocent victims.

Once again I want to make it clear I support the restoration of tort for economic loss. I only wish that this government had had the integrity to fulfil the promises made by its previous incarnation as an opposition party to restore full tort and I only wish that it respected injured persons enough to maintain a level of no-fault benefits that were adequate to ensure that injured people receive some modest income replacement, medical rehab, long-term care.

I know they're going to respond, but I tell you this: If any one of these Tory insurance company hacks wants to get up and talk about public auto insurance, why do it in a mere two minutes? I will debate public auto insurance with any one of these Tory hacks any time, anywhere, in front of any audience here in the province of Ontario or beyond — any time, anywhere, preferably in front of a TV camera, because, Lord knows, I wouldn't want their pathetic little defence of a pathetic, greedy, vicious industry to go unrecorded. So if these Tories want to stand up and defend the private corporate insurance sector and the injustices that it's imposed upon victims and

drivers in this province, let's do 'er. Pick a venue, I'll be there.

You know what? I don't want to paraphrase Al Palladini, but I doubt if any of them would have the gonads to do it. I doubt if a single one of them has got the wherewithal to join me in that challenge. Now if we're going to do it, though, please let's do it before June 21, okay? If it's going to be televised I'd just as soon we do it during the course of next week, but I'll do it as readily after next weekend as before.

We've got to vote against this. The solution is a public auto insurance system, like British Columbia's, like Saskatchewan's, like Manitoba's. The public of Ontario doesn't believe the insurance industry any more. The public of Ontario doesn't believe these Tories any more, just like they won't believe any government that tries to prop up a private, corporate, profit-motivated insurance industry.

Ms Frances Lankin (Beaches-Woodbine): I truly wish that my colleague from Welland-Thorold wouldn't mince his words in that way. I actually appreciate the opportunity to respond to this bill. As the critic, I also wanted, though, to share the leadoff time with the member for Welland-Thorold, because I don't believe there is anyone in this Legislature who has as much knowledge and background and the history with this issue as the member for Welland-Thorold. I think it is useful for all of us to have had the opportunity to hear him set out the history of this issue in the province of Ontario, the failed attempts of various governments, including ours, to deal with the resulting problems facing drivers in this province with respect to the rates that they pay for their insurance premiums and accident victims with respect to access to adequate benefits and rehabilitation and restoration of economic loss.

I come at this issue from a different history than my colleague. My colleague has the benefit both of having been a legislator involved in this issue and also a legal background having been involved in this issue. My own perspective comes not from having been involved with auto insurance but with other forms of insurance systems, like, for example, the health care system in the province of Ontario, which essentially is a universal disability system, part of our medicare, our national system of delivery of benefits to individuals, in this case with respect to medical rehabilitation and treatment for injuries; and also in another area, that being the area of workers' compensation, which of course is a little bit more analogous because it deals with issues of restoration of economic loss, as well as issues of treatment for injury and benefits around pain and suffering.

1720

One of the things that has always bedeviled me in the debate about auto insurance — and we're back at it again here with the Tories' bill, as we were with the bill brought forward under the New Democrat government, as we were in the days of Bill 68 — is the debate about the balance between tort and no-fault. I think the member makes an interesting point when he says it's not the levels but the issue of the balance between the two.

I myself, for a number of years, have always taken a position that is not as favourable towards tort, because I

have seen over the past the way in which the legal profession and cases being ground through the court system have left individuals without access to the necessary treatment they need for the injuries they have, the necessary rehabilitation, until much longer down the road, at a point in time when perhaps it is not useful any more to them and not able to help restore their health. I've also seen individuals who have gone through these long-drawn-out processes when at the end there hasn't been that pot of gold at the end of the rainbow and they haven't seen a restoration of the economic loss.

I've also seen situations, however, where the award they received at the end of the rainbow was extraordinary. For the ordinary citizen looking at it, it was very hard to understand how it was reasonable to see that kind of large award, given the circumstances that had been presented. It came about as a result of very effective advocates on their part, very effective legal representation, lawyers who argued precedents, who were establishing precedents and building on precedents. We actually saw a growing amount of litigation taking place as the awards from the court became more lucrative.

There is no doubt that this started to drive up the costs within the system as well. I have a problem with that. I don't know how you regulate that side of the tort system. Attempts have been made by all sorts of governments in terms of putting more reliance on no-fault, and that's one mechanism. I think the member for Welland-Thorold is quite right when he indicates that if you have a higher level of economic loss benefit attainable through the no-fault portion of your insurance, it would tend to mean that fewer people would attempt to go through the court system. But to me that's not the only answer there, because of course the other part of the tort system is suing not just for economic loss but for non-economic loss, which we all know is more commonly referred to in lay language as pain and suffering and loss of quality of life. It's often been in those areas where the extraordinary awards have been made.

This government is attempting to put a limit on that, but the limit they've put on it is by introducing language into the legislation that says therefore the impairment or the injury, the disfigurement — there are a number of different categories — must be permanent and must be serious. I've heard from a number of people in the legal profession that it's going to take a very long time for us to know what those words mean. Once again we're going to have to go through the court system, we're going to have to test this language, we're going to have to build a body of case law and we're going to have to find out whether that is going to provide any kind of compensation to legitimate accident victims with respect to pain and suffering and loss of quality of life, or if it's an illusory, unattainable benefit that has been written into the legislation but in fact denied to people by virtue of the type of threshold that's been put in place.

If that were the case, I'd want to come back to, what are the alternatives for people? That takes you back to the no-fault benefits. Unfortunately, under this legislation, in order to strike the balance that the parliamentary assistant was attempting to strike to satisfy the insurance industry, who came forward during the hearings on the draft

legislation and said, "Oh, no, there are still going to be 7%, 8%, 9% increases in rates," to satisfy them, to get them brought in line so we could sell this as a good package for good drivers out there in terms of their premium rates, to achieve that, he has put such limits on the no-fault side of the benefits available to drivers who are in accidents, who are injured in those accidents, that I worry very much about the lives of those individuals and their ability to become whole again after being in an accident; believing they have coverage in their insurance under this new product, but finding out at the end of the day that it's wholly inadequate; and being unable to access what is being held out as the alternative here, which is the tort system, unable to access that because of the nature of the very serious thresholds that have been put in place, the words "permanent and serious" and how that is going to be interpreted by the courts.

In a sense, I understand the dilemma that was facing the parliamentary assistant and the government. I understand it well. I went through these debates in our government and learned more than I wanted to know about the auto insurance industry and the government's role in regulating this product. But in attempting to deal with those problems, I think the government has essentially presented the public of Ontario with the worst of both worlds: the worst of the tort world and the worst of the no-fault world in terms of caps on the benefits, the lower benefits that will be available.

I should mention that you can of course get insurance coverage for higher benefits on the no-fault side if you pay for them, if you pay additional premiums, but then it's a little bit illusory to say you're actually getting a break in your premiums, right? I know what it is. This government says it every day: "We're doing more with less." In this case —

Mr Bud Wildman (Algoma): They're actually doing less.

Ms Lankin: That's right. They're doing less with less. In this case, if you get a decrease in your premium, it's because you've got less of a benefit coming back, less of a product. If you want more of a product, you're going to pay more and you're right back to where you began. If you don't get the benefit you think you need once you've had an accident, you can go to court, but the limits and the thresholds on your access to court are so significant that it's going to be a very long time before we understand who will be able to pass those legal thresholds and be able to attain any kind of compensation or award through the court system. I think it is the worst of all worlds.

There are some elements in the bill that I think are useful and helpful: some of the things that deal with accreditation around the designated assessment centres, some of the aspects that start down the road of treatment plans, but I would say we need to be cautious there; there are many injuries in which treatment plans can't be identified right from the beginning and there has to be flexibility in that. I think the rate of fee schedules is useful. I think the conflict of interest is useful.

I'm actually being quite complimentary on a number of those initiatives, but they came out of a report of the long-term care and disability task force that was under

the purview of a previous minister, Brian Charlton, and these were changes that were going to be made to the Bill 164 world, the NDP legislation. I'm pleased to see they've been built into this legislation. I think those are useful, necessary changes. Those were the evolutionary changes that we said at the time we brought in Bill 164 would have to be addressed, and I think that's useful.

But as a layperson, let's say, outside of the world of the auto insurance industry, I come back to this dilemma we seem to be faced with all the time in terms of the debate about how hard you go on tort side or how hard you go on the no-fault side. We've had several permutations of this now. My colleague from Welland-Thorold is quite right when he says this bill actually takes us back closer to the Liberal bill, Bill 68, that was in place. No wonder. He referred to George Cooke, who was I think one of the major authors of the Liberal plan at that time, and of course now, as a member of the Insurance Bureau of Canada, a major lobby group on behalf of the industry, was very influential with respect to this Tory government's legislation. We see many of those elements coming creeping back in.

We know the industry certainly liked that plan better, but I can tell you, accident victims didn't like that plan better. Accident victims who came forward and testified at various hearings during the time we were in government and even who came forward under the draft legislation brought forward by Mr Sampson, the parliamentary assistant for the Tory government who had carriage of this legislation, told us how much they disliked those regimes because their benefits were capped and they had insurance industry representatives acting in a very capricious way to cut off their benefits, to deny them access to the rehabilitation and the treatment they needed to restore their health.

1730

We've gone around several circles on this, and the product changes a little bit here, a little bit there. It seems the industry always gets what it wants. When they don't get what they want, like under Bill 164, under the NDP legislation, they'll howl and they'll push the rates up or threaten to push the rates up. Then, when they get something they want from government, they'll promise to bring the rates down, but — you watch — they rarely do come down.

We've heard, in response to this legislation when it was introduced, from the insurance industry that rates for "good drivers" — let me repeat that, "good drivers" — may well decrease by 3% or 4% once this legislation becomes law. Actually, that's interesting. I wonder how many people here in this Legislature or how many people at home view themselves as good drivers. I think of myself as a good driver. You probably think of yourself as a good driver. I know that a lot of people think of themselves as good drivers.

Mr Derwyn Shea (High Park-Swansea): Right here, Frances.

Ms Lankin: We've got lots of people with their hands up. Do you know that when we went through the hearings on the draft legislation we asked Mr Sampson, but we also asked the industry — I think it was more appropriate to hold the industry accountable for a definition for

“good driver” — what a good driver is? They really didn’t have an answer. Each insurance company has a different standard, and the Insurance Bureau —

Mr Sampson: We got an answer from the Insurance Bureau.

Ms Lankin: Mr Sampson said we got an answer from the Insurance Bureau. Their answer was basically that each insurance company has its own way of determining that.

I guess the challenge back to me was, “If you believe in the basic premise that someone who is a better driver should have a lower rate.” — sure, but what’s the threshold? Do you know that if you have any kind of traffic infraction, a speeding ticket — I admit I have had a speeding ticket — well, you’re not a good driver. You are at risk. You are a high-risk driver. It’s quite extraordinary.

I listened to a woman who had called in to a phone show about this legislation, who related a story that about two years ago she had had a minor accident and she was “at fault.” She actually admits that. It was a minor fender bender, but it was one that she claims she is responsible for, although it was really like an accident, and that’s the only accident she’s ever had. She’s had a 25-year driving record. Do you know that now, because that happened in the last two years, she is no longer a good driver? They don’t average back over 25 years of your driving record. Because in the last two years she had that minor accident in which she was more at fault than the other person, she got pushed into Facility Association.

Mr Sampson referred to Facility Association as the high-risk pool the industry has created. There is incredible abuse in terms of what people are put in there. He has brought forward a rule, which he has asked them to comply with, around whether you’ve had a lapse in your insurance 12 months of the last 24. That’s a minor example of people who get pushed into Facility Association. It’s useful — I don’t dispute it — but that’s not the big problem here.

The problem is how the industry determines who’s a good driver, and so everyone out there who feels — excuse me. This coughing is becoming a habit.

Mr Wildman: Do you see what your legislation has done to her?

Mr Sampson: No, it’s what yours has done to her. She’s choked up trying to bail you guys out.

Ms Lankin: I appreciate the comic relief, folks, while I’m choking here.

The definition of a good driver is one that has not been set out in the legislation or has not been set out clearly by the industry, and all the people in the public who responded to the government’s announcement around this legislation, believing that they were going to get a decreased rate because they’re good drivers, are probably going to be in for a significant surprise. Any kind of problem they may have had in their driving record probably over the last five or six years is going to disqualify them from being considered a good driver.

I think that the promise of a reduction in rates is one that most people won’t see. We’ll see. With time we’ll understand what the truth of that is and we’ll understand whether or not the government has delivered on its

promise for a product in which we see rate stability and in which we see good drivers receiving a reduction in their rates.

What it comes down to, though, is, what have we learned from all these different attempts by various governments to fiddle around with the product, to have a little bit higher benefits on the no-fault side or a bit freer access to tort or tightening up tort or tightening up caps on how much can be attained in terms of benefits on the medical rehab side — all the various elements of the product?

I guess what we’ve learned is that the industry is in total control of this. We don’t have clear disclosure about the cost inputs in that industry and how it relates, through their actuarial assumptions, to the premiums. We see premiums that seem to continue to go up no matter what government does. We’ve seen four products in this province in the last five or six years. You may not realize that, but if you had an accident in 1988, you probably had a different level of benefits than if your accident was in 1993, and you’ll have a different level of benefits there than if your accident is at the end of 1996, depending on when this legislation is passed. There is constant confusion and change and transition costs built in in the industry as the product has changed. No one, no government — no Tory government, no Liberal government and no NDP government — has finally solved this issue of how to control insurance rates.

The question should perhaps be, why is it a role of government? Why should government be involved in this business? Very clearly, government has a role in this because we insist that people have automobile insurance in order to legally drive in this province, that they be covered and that they have their own costs covered as well as the costs of someone else who might be involved in an accident with them if the driver, the first person, is at fault; and second, because driving is such a necessary part of our life, to be able to get to work, to be able to get to leisure activities, to be able to tend to family matters, to be able to get to necessary health appointments, particularly in so many communities that don’t have well-developed and accessible public transit. In so many rural and northern communities, driving is not just a necessity of life, it is a major activity of life because of the distances between places people must get to to continue the basic activities of life.

That brings me to draw a conclusion that really the only way to control this is if you have full disclosure, if you have an end to the multiplicity of administrative costs and all the different insurance agencies, if you have — and I’m coming to what is the fundamental policy and principle of the New Democratic Party — a publicly administered, publicly owned auto insurance industry.

I know the members opposite take great glee whenever one of us raises this point, because while we started down that road when we were in government, we didn’t complete it; we changed our mind and decided to go to the Bill 164 product. We changed our mind at that time for a couple of reasons. First of all, we were in the middle of a very deep recession, and at that time, the amalgamation of all the insurance head offices into the

one public auto insurance system would have caused the loss of some 6,000 jobs in clerical work, largely female, lower-paid, non-unionized in most cases. That's a very difficult price to ask those people to pay when there weren't alternative jobs for them to go to, when the economy wasn't growing. There were also transition costs that involved taking large industries out of business, and others, which made it appear to us to be difficult in the short run to implement and deliver the savings to people.

We wrestled with that, we really did. There is a significant body of opinion in our old caucus and cabinet, but most certainly in our party, that we made a wrong decision in retrospect, that we should have proceeded at that time. I supported the decision at that point in time, but even I have reflected on that and wonder, was it the wisest? Perhaps it was the political reality of the day, and we'll accept it on that basis.

1740

But it seems to me that we see yet again, with this next attempt by yet another government to jig the pieces and come up with another balance of the elements of the product, that once again there is no promise it is going to deliver lower rates for the driving public or rate stability even; a product in which the industry still has full control; in which accident victims' benefits are being capped and are being cut back; in which there is nothing to protect the accident victims like the people who came before the hearings on the draft legislation and told us one after another after another how badly they had been treated by the industry in terms of access to medical rehab, in terms of the way they'd been cut off those benefits and how they were still living in pain and how it had destroyed their lives in many ways.

There's nothing in the legislation, but that's what we see: yet another government that's jiggled the pieces around, not solved the basic problem of premium rate stability, not solved the problem of accident victims who are not getting access to needed benefits, treatment and rehabilitation because of the industry's capricious nature and the way they cut them off.

You have to wonder, isn't the alternative obvious? Doesn't it lead you down the road to saying, at some point some government is just going to have to bite the bullet and do this and take this over and take us back to public auto insurance?

I wish I had a chance to go back to that discussion when we were in government. I would have liked to have had the wisdom of the experience of Bill 164, having gone through that whole process and now most certainly seeing this government rejig the pieces and going back again towards the Liberal Bill 68 model with a few variations. I wish I could have had that information and that knowledge in that earlier discussion. It might have helped me be more resolved to continue down the road of the implementation of public auto at that time.

I can tell you that conditions have changed. The auto insurance industry itself has gone through tremendous downsizing and streamlining. You know what? Most of those 6,000 clerical workers whom we, as New Democrats, wanted to protect in terms of their employment, most of them are gone already. Technology changes, streamlining, downsizing: They're out the door anyway.

The insurance industry that lobbied our government, putting forward those women as the props in front of them — and that's how they were used by the insurance industry, who said: "How could you do that to these women, you New Democrats who care about working women, about low-paid women in clerical job ghettos, who are non-unionized? How could you put them out of work?"

We listened and we responded on that point, and do you know what they did? They turned around and put them out of work anyway. That's what the insurance industry did. We bought them a couple years more employment. I'm glad we did that, because as the economy got a bit better in 1994, perhaps there were some other alternatives for them.

But we learned a really valuable lesson. I think the task for us as New Democrats now is to sit down and to look at how, given the kind of legislation we see this government bringing in, we could build an implementation plan to bring us back to implementing public auto in this province.

I believe that profoundly. I think that's a real challenge for our party. Obviously, credibility will be an issue, because we didn't proceed with it when we were in government, but there were reasons for it at that time. Politically, looking back, it was probably a very serious political mistake we made as a party, but I think the reasons in terms of good government were important at that time.

But as the landscapes change and as we see yet again another government bring forward another mix of product, which is not going to deal with the basic issue, will not control the industry, will not control premium rates and is not offering the same level of benefits to accident victims as we saw under Bill 164 and does nothing to solve the problem of those accident victims who require medical rehabilitation who are being cut off that by the actions of the insurance industry, we will see an outcry begin once again.

Don't forget that consumers have power. You know that as Tories. You always talk about the market and, "Let the market drive things." Consumers have power and consumers can drive decisions with their purchasing power and with their anger. The one thing you've got to recognize is that virtually every adult in the province of Ontario is a consumer of auto insurance; not everyone but virtually everyone. That's a big public. As a legislator you might relate to it in other terms: the electorate, the voters. Virtually all voters carry an insurance slip in their pocket.

If your plan doesn't work, and I don't think it will — I don't think it'll deliver the things you have — as they were angry under previous Tory governments, which led to Bill 68, as they were angry about Bill 68, which led to Bill 164 — we didn't have time for them to get angry about Bill 164, but they probably would have as well, which has led to the legislation we see introduced today — as we see ourselves go around the legislative debate and the history of repeating past mistakes of past governments over and over again and the anger grows, the inevitable response will have to be to move to public auto insurance.

On behalf of the New Democratic Party, which has long had a policy of support for public auto insurance, which believes in that principle, which never abandoned the belief in that principle — while we decided not to proceed with it within government but still believe that is the right way to go — we will begin the work now to have the plan ready to put in place when we have the opportunity and when the public responds to the failure of this plan to fix the basic problems again, as it most assuredly will, as Bill 164 under the New Democrats did, as Bill 68 under the Liberals did and as the original plans under the previous Tory governments did.

Never doubt the power of the consumer, the auto insurance purchaser, the voter, all one and the same with respect to this issue. At the end of the day, I think the voters will have had enough of all of us and our tinkering with the plans and that they will insist on a government to take hold of the reins, take responsibility and move the system to public auto insurance. I hope I'm still a member of the Legislative Assembly of Ontario on that day to see it through.

The Acting Speaker Mr Gilles E. Morin: Questions or comments?

Mrs Margaret Marland (Mississauga South): I know that we are to comment on the presentation by the member for Beaches-Woodbine, and I congratulate her for her presentation. I don't agree with her, but I think her delivery was well done and I take this opportunity to wish her success next week when she runs for leader of the New Democratic Party in Ontario.

The person I really want to congratulate is the member for Mississauga West, who has spent his initiating months in this place doing a tremendous amount of foot soldier work on the whole subject of automobile insurance in this province. I'm grateful for his work and his review of the subject and also the draft legislation that some of us were privileged to hear the public respond to during our committee hearings, an opportunity for which I was personally grateful because I too, like the member for Mississauga West, learned a great deal about automobile insurance in this province and the problems associated with it.

I tell the member for Beaches-Woodbine that I have been accident-free probably 30 years, but I'm ticket-free for at least 10 or 12 years. In spite of that, my own automobile insurance rates went up 48% under your government's Bill 164. When I'm driving a nine-year-old car, I don't look forward to going from \$800 a year to \$1,100 a year when I'm an absolutely perfect driver, so I look forward to this being the solution.

1750

Mr James J. Bradley (St Catharines): I too found the speeches of the two representatives of the New Democratic Party very interesting. I won't endorse any of the candidates, for fear of jeopardizing their chances next week.

I want to say in my two minutes that I don't know if you're going to solve this problem. Auto insurance has been a very difficult problem. I wish you well. I really wish you well. There's a little bit of benefit in those of us in opposition wishing you well. If by some fate the electorate decided to choose one of the other parties and

you don't do well, we'll have to address this issue again. I can assure members of the government this is not an easy issue, as the member for Mississauga West will know.

The problem is premiums. You get arguing with people; when it comes down to it, people are annoyed, as the member for Mississauga South has been, with a substantial increase in premiums without any apparent reason for that increase in premiums. Many people have faced that.

The second problem is how easy it is for people to get thrown into what's called the Facility, or that one organization where you pay a huge premium because you have a couple of tickets or there's a minor accident or something. It's really, I'm told by people who've called my office, easy to get into that Facility, which means that the insurance companies are simply dumping you off into something else, which makes it difficult for you.

Obviously, we have to address safety. If you look at the latest comments about truck safety on the roads that the Ontario Provincial Police are worried about, we really have to address that problem of safety because that's where some of the accidents are arising.

There are going to be people who will drive without insurance if the premiums go too high. I know there are penalties for that, but that is going to happen. So what I want to say is that I wish you well. I doubt that the premiums are going to stay down, but I hope this plan works for the sake of all the people of this province.

Mr Wildman: I want to join the debate and express my congratulations to my colleagues from Beaches-Woodbine and Welland-Thorold for their presentations. I frankly endorse the comments of my friend from St Catharines in which he said that governments in the future are going to have to address this issue. We have indeed, as the member for Welland-Thorold said, come almost full circle with the introduction of this legislation. Governments of all three parties have attempted to deal with this and all of us must recognize how difficult this is when you're dealing with something that is essential to be able to drive in this province and something that causes so much consternation when a driver cannot receive it or is denied it by the insurance industry, or is, as the member for St Catharines said, dumped off into Facility.

I will not endorse either of the candidates for the leadership of my party who have spoken in this debate. I have taken the position, as all members know, that I am not going to be endorsing any one of the four excellent candidates who are standing for the leadership of my party. However, I want to say that the two presentations made here today are an indication that this party is prepared to face up to the difficulties that a difficult issue like this presents to all of us as legislators and that we will be dealing with this issue, I'm sure, when whichever one of the four leadership contenders has the opportunity to serve as Premier of this province.

Mr Murdoch: First, I'd like to just congratulate Mr Sampson for bringing this in. He did a great presentation, plus he's taken the opportunity to try to solve this problem, which, as has been mentioned by other members, all three parties have tried to do.

I won't endorse either of the two candidates either. I will wish them all the best of luck on the other side a couple of weeks from now when they have a chance to become leader, and we'll look forward to whichever one turns out to be leader coming back here and leading the party, although the present leader they have now has been doing a good job, I must say, and I think we've been blessed to have Mr Wildman to lead your party. He's done a good job on that and I want to congratulate him also.

Getting back to insurance and to the bill that we had Mr Kormos talk about, I was concerned that he did go on and on about this bill and complained and wanted to have government-run insurance. Boy, I'd be the last person to ever say we want government to run anything. Some of the things that government in the past and probably in the future will run —

Mr Wildman: Particularly your government.

Mr Murdoch: I wouldn't even want our government running it, I'll tell you that right now, but any of the governments. He mentioned this, but he had five years to bring it in and he didn't do it. I wish he were here right now to say something. I'm really concerned that he would stand here and berate our people for trying to do something and he didn't do it. I think they missed the boat there because I don't really believe they'll have a chance to do this again, and that's the way things happen. They had a chance to do that and didn't do it, and we certainly wouldn't want government-run insurance.

I believe too that the insurance companies will not be there on the 22nd, the way they were berated by the NDP, but that's unfortunate because I think insurance companies try to do a good job.

The Acting Speaker: Your time has expired. The member for Beaches-Woodbine, you have two minutes to reply.

Ms Lankin: I appreciate the participation of other members. I say to the member for Grey-Owen Sound that I wish the member for Welland-Thorold were here. He's in his office right now watching the rest of this, and I'm sure he had a heart attack when you said that. Let me say in defence of the member for Welland-Thorold that he can hardly be blamed for the previous government's decision not to proceed with auto insurance. He remained a fierce advocate of auto insurance throughout that and certainly was consistent on that point.

I think I addressed very clearly, as a member of caucus and government, some of the reasons behind the decision not to proceed at that point in time, but gave a clear indication of our ongoing commitment to that principle and how I believe it will become an issue yet again. As you indicated, Mr Sampson is a parliamentary assistant on behalf of the government attempting to fix problems that have been attempted to be fixed before. While I always wish him good luck and good wishes, I think he will be no more successful than previous governments have been because the basic fault is with the structure of the industry, that it is a private sector, closed industry, profit-oriented, and that is not consistent with delivery of health benefits, of medical rehab benefits, of income loss benefits in a way that is going to keep rates stable. It just comes right back to the very basic principle the New

Democrats have always argued for, which is to move to public auto.

I appreciate that the member for St Catharines did not endorse any of the candidates. I don't think any one of us would have appreciated having a seal of approval from one of our Liberal colleagues. I point out that the member for Mississauga South only wished me good luck; it wasn't an endorsement, and she truly indicates good luck to all the other candidates as well. I congratulate her for her declaration here in the House today of being a perfect driver. Congratulations.

The Acting Speaker: Further debate?

Mr Jim Flaherty (Durham Centre): I'm pleased to have an opportunity to speak in the debate on second reading of Bill 59, dealing with automobile insurance in the province of Ontario, a subject with which I have some familiarity. I compliment my colleague the member for Mississauga West for his months of hard work on this issue. As has been said by the members opposite this afternoon, it is a difficult area. It is an area that takes some time to understand, not only in the theory of tort and no-fault and property damage and comprehensive coverage and that type of theoretical insurance issue dealing with compensation, but also in the dispute resolution and practice areas. That is, one can design a system that looks good on paper, as some thought Bill 68 did, as some thought Bill 164 did, and yet when the legislation is put into practice it doesn't work very well.

The context of automobile insurance history in Ontario is this: We have had no-fault automobile insurance in Ontario since 1972. It was made mandatory at that time, at a lower level, of course, than today. In 1987 the then Premier, Mr Peterson, made a statement that he had a plan to reform automobile insurance. At that time we had a primarily tort system with a small no-fault component.

To explain those terms, the tort system is designed to compensate persons who are injured through no fault of their own or through the partial fault of their own. It is the good-neighbour theory. It is the theory that if you injure your neighbour through your own fault, you owe that person compensation, you have the duty to make them whole. It is a duty that our law has honoured for well over 100 years in the common law and in our statutes. It makes sense. It abides with the concept that most persons have of their duty, one to another, in our society.

There was some slowness in that system. There was some need for immediate compensation, for immediate funds for persons who are injured, who are victims in motor vehicle accidents; whence the development in the United States, and subsequently here, of some degree of no-fault benefit, now referred to as statutory accident benefits in Ontario. The difficulty has been to achieve an appropriate balance, not between the public sector and the private sector, which is much talked about on the other side, which most people in Ontario quite frankly don't care about. They certainly don't talk to me about it. What they talk to me about is, do they get adequate, prompt compensation when they're injured through no fault of their own, or even through some fault of their own, in motor vehicle accidents?

The major issue then is a balance between the level of premiums in Ontario and the degree of compensation. I compliment the member for Mississauga West, after much hard work and much consultation, in my view, having achieved the best balance possible, given the two systems available for the people of the province of Ontario.

Bill 68 was the bill that was introduced by Mr Peterson's government and which became law in Ontario in June 1990. That law was defective in a very important area; that is, if an innocent person was injured in a motor vehicle accident and if they did not cross the artificial verbal threshold created by the Liberal government of the day, then they were not entitled to any compensation in tort. This applied even to the situation where a pedestrian might be crossing the street and be struck by a drunk driver and have serious fractures of the leg — let's say a comminuted fracture of the femur of the upper leg — and yet not be deemed to have sustained a serious and permanent injury. That person would not even be entitled

under that legislation to be compensated for their loss of income, over and above the no-fault benefits paid to that victim.

That offended common sense, it offended anyone's sense of fairness, of appropriate compensation, of restoring the person to the level of earnings, restoring them for the financial loss that they suffered as a result of the motor vehicle accident. That very serious defect has been remedied by the work done creating Bill 59. In Bill 59 there is a verbal threshold, but the verbal threshold does not apply to economic loss in the nature of loss of income, so the injured person can rest assured, under our government's legislation, that they will be made whole with respect to loss of income, that they'll be entitled to recover their full loss of income in the tort system.

The Acting Speaker: It being past 6 of the clock, this House stands adjourned until Monday at 1:30 of the clock.

The House adjourned at 1803.

ERRATA

No.	Page	Column	Following line	Please insert:
87	3509	2	4	TORONTO ISLANDS AMENDMENT ACT, 1996 LOI DE 1996 MODIFIANT LA LOI SUR LES ÎLES DE TORONTO
				Mr Shea, on behalf of Mr Leach, moved third reading of the following bill:
				Bill 38, An Act to amend the Toronto Islands Residential Community Stewardship Act, 1993 / Projet de loi 38, Loi modifiant la Loi de 1993 sur l'administration de la zone résidentielle des îles de Toronto.
				The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry?
				All those in favour say "aye."
				All those opposed say "nay."
				In my opinion, the ayes have it.
				Member for Kitchener, is this also deferred?
				Mr Wayne Wettlaufer (Kitchener): Mr Speaker, I believe we have unanimous consent to defer the vote until Monday, June 17, just prior to orders of the day.
				The Speaker: Agreed? Agreed.

No.	Page	Item	Please add:
87	Contents	Third Readings	Toronto Islands Amendment Act, 1996, Bill 38, Mr Leach Vote deferred 3509
87	Table des matières	Troisième lecture	Loi de 1996 modifiant la Loi sur les îles de Toronto, projet de loi 38, M. Leach Vote différé 3509

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Hamilton Mountain	Pettit, Trevor (PC)	Parkdale	Ruprecht, Tony (L)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Parry Sound	Eves, Hon / L'hon Ernie L. (PC) Deputy Premier, Minister of Finance, government House leader / vice-premier ministre, ministre des Finances, leader parlementaire du gouvernement	Scarborough North / -Nord	Curling, Alvin (L)
Perth	Johnson, Bert (PC)	Scarborough West / -Ouest	Brown, Jim (PC)
Peterborough	Stewart, R. Gary (PC)	Simcoe Centre / -Centre	Tascona, Joseph N. (PC)
Port Arthur	Gravelle, Michael (L)	Simcoe East / -Est	McLean, Hon / L'hon Allan K. (PC) Speaker / Président
Prescott and Russell / Prescott et Russell	Lalonde, Jean-Marc (L)	Simcoe West / -Ouest	Wilson, Hon / L'hon Jim (PC) Minister of Health / ministre de la Santé
Prince Edward-Lennox- South Hastings / Prince Edward-Lennox- Hastings-Sud	Fox, Gary (PC)	Sudbury	Bartolucci, Rick (L)
Quinte	Rollins, E.J. Douglas (PC)	Sudbury East / -Est	Martel, Shelley (ND)
Rainy River	Hampton, Howard (ND)	Timiskaming	Ramsay, David (L)
Renfrew North / -Nord	Conway, Sean G. (L)	Victoria-Haliburton	Hodgson, Hon / L'hon Chris (PC) Minister of Natural Resources, Minister of Northern Development and Mines / ministre des Richesses naturelles, ministre du Développement du Nord et des Mines
Riverdale	Churley, Marilyn (ND)	Waterloo North / -Nord	Witmer, Hon / L'hon Elizabeth (PC) Minister of Labour / ministre du Travail
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Hon / L'hon Noble (PC) Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales, ministre délégué aux Affaires francophones	Welland-Thorold	Kormos, Peter (ND)
St Andrew-St Patrick	Bassett, Isabel (PC)	Wellington	Arnott, Ted (PC)
St Catharines	Bradley, James J. (L)	Wentworth East / -Est	Doyle, Ed (PC)
St Catharines-Brock	Froese, Tom (PC)	Wentworth North / -Nord	Skarica, Toni (PC)
St George-St David	Leach, Hon / L'hon Al (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement	Willowdale	Harnick, Hon / L'hon Charles (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Samia	Boushy, Dave (PC)	Wilson Heights	Kwinter, Monte (L)
Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony (ND)	Windsor-Riverside	Cooke, David S. (ND)
Scarborough-Agincourt	Phillips, Gerry (L)	Windsor-Sandwich	Pupatello, Sandra (L)
Scarborough Centre / -Centre	Newman, Dan (PC)	Windsor-Walkerville	Duncan, Dwight (L)
Scarborough East / -Est	Gilchrist, Steve (PC)	York Centre / -Centre	Palladini, Hon / L'hon Al (PC) Minister of Transportation / ministre des Transports
Scarborough-Ellesmere	Mushinski, Hon / L'hon Marilyn (PC) Minister of Citizenship, Culture and Recreation / ministre des Affaires civiques, de la Culture et des Loisirs	York East / -Est	Parker, John L. (PC)
		York Mills	Turnbull, David (PC)
		York-Mackenzie	Klees, Frank (PC)
		Yorkview	Sergio, Mario (L)
		York South / -Sud	Kennedy, Gerard (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

TABLE DES MATIÈRES

Jeudi 13 juin 1996

AFFAIRES D'INTÉRÊT

PUBLIC ÉMANANT DES DÉPUTÉS

Loi de 1996 modifiant des lois en ce qui concerne le transfert de déchets, projet de loi 56, <i>M. Ramsay</i>	
Rejetée	3526

PREMIÈRE LECTURE

Loi de 1996 régissant les alcools, les jeux et le financement des organismes de bienfaisance dans l'intérêt public, projet de loi 75, <i>M. Sterling</i>	
Adoptée	3544
Loi de 1996 améliorant le processus d'évaluation environnementale et de consultation publique, projet de loi 76, <i>M^{me} Elliott</i>	
Adoptée	3544
Charte des droits des travailleurs en matière de retraite de 1996, projet de loi 77, <i>M. Hampton</i>	
Adoptée	3544

DEUXIÈME LECTURE

Loi de 1996 sur la stabilité des taux d'assurance-automobile, projet de loi 59, <i>M. Eves</i>	
Débat ajourné	3564

CONTENTS

Thursday 13 June 1996

PRIVATE MEMBERS' PUBLIC BUSINESS

Importation of Waste Statute Law Amendment Act, 1996,	
Bill 56, <i>Mr Ramsay</i>	
Mr Ramsay	3511, 3518
Mr Galt	3512
Mr McGuinty	3513
Mr Hampton	3514
Mr Tilson	3515
Mr Bradley	3516
Negatived	3526
Pension plans, private member's notice of motion number 36,	
<i>Mr Hampton</i>	
Mr Hampton	3518, 3525
Mr Doyle	3519
Mr Gerretsen	3520
Mr Christopherson	3521
Mr Hudak	3522
Mrs Papatello	3523
Mr Martin	3524
Mr Crozier	3524
Mr Len Wood	3525
Negatived	3526

MEMBERS' STATEMENTS

Physician shortage	
Mrs Papatello	3526
Mrs Caplan	3527
Child poverty	
Mrs Boyd	3527
Neill-Wycik College-Hotel	
Mr Ford	3527
Forest management	
Mr Pouliot	3527
Liquor licensing	
Mr Shea	3528
Hospital financing	
Mr Bradley	3528
Workfare	
Mr Kormos	3528
Agribusiness park	
Mr Galt	3528

STATEMENTS BY THE MINISTRY AND RESPONSES

Environmental assessment	
Mrs Elliott	3529
Mr McGuinty	3530
Ms Churley	3531
Alcohol and gaming initiatives	
Mr Sterling	3529
Mr Kennedy	3531
Mr Bradley	3531
Mr Kormos	3531

ORAL QUESTIONS

Vehicle emission testing	
Mr McGuinty	3532
Mrs Elliott	3532
Young offenders	
Mr Ramsay	3533
Mr Runciman	3533, 3534
Mrs Boyd	3534, 3536
Mr Eves	3536
Workfare	
Mrs McLeod	3536
Mr Eves	3536
Violence against women	
Mr Stewart	3537
Mrs Cunningham	3537
Video lottery terminals	
Mr Bradley	3537
Mr Eves	3537, 3538
Mr Kennedy	3538
Environmental assessment	
Ms Churley	3538
Mrs Elliott	3538
Education	
Mr Ron Johnson	3539
Mr Snobelen	3539
Youth employment	
Mrs Papatello	3539
Mr Snobelen	3539
Obstetrical care	
Mr Laughren	3540
Mr Wilson	3540
Train derailment	
Mr Ford	3540
Mrs Elliott	3540
Toronto Transit Commission	
Mr Colle	3541
Mr Palladini	3541

PETITIONS

Dellcrest Children's Centre	
Mr Ruprecht	3541
Occupational health and safety	
Mr Christopherson	3541, 3542
French-language services	
Mr Grimmett	3542
Rent regulation	
Mr Colle	3542
Mr Curling	3542
Mr Christopherson	3543
Mr Kennedy	3544
Bear hunting	
Mr O'Toole	3542
Mr Stockwell	3543
Fiscal and economic policy	
Mr Agostino	3543
Firearms control	
Mr Tilson	3543

FIRST READINGS

Alcohol, Gaming and Charity Funding Public Interest Act, 1996, Bill 75, <i>Mr Sterling</i>	
Agreed to	3544
Environmental Assessment and Consultation Improvement Act, 1996, Bill 76, <i>Mrs Elliott</i>	
Agreed to	3544
Workers' Pension Bill of Rights, 1996, Bill 77, <i>Mr Hampton</i>	
Agreed to	3544

SECOND READINGS

Automobile Insurance Rate Stability Act, 1996,	
Bill 59, <i>Mr Eves</i>	
Mr Sampson	3545
Mr Chudleigh	3548
Mr Kormos	3550
Ms Lankin	3557, 3563
Mrs Marland	3561
Mr Bradley	3562
Mr Wildman	3562
Mr Murdoch	3562
Mr Flaherty	3563
Debate adjourned	3564

OTHER BUSINESS

Visitors	
The Acting Speaker	3529
Business of the House	
Mr Eves	3541
Errata	3564

continued overleaf

SAISON
XI
-D23



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of Ontario**

First Session, 36th Parliament

**Assemblée législative
de l'Ontario**

Première session, 36^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 17 June 1996

Lundi 17 juin 1996



Speaker
Honourable Allan K. McLean

Président
L'honorable Allan K. McLean

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 17 June 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 17 juin 1996

*The House met at 1333.
Prayers.*

MEMBERS' STATEMENTS

ROYAL CANADIAN LEGION ANNIVERSARY

Mr Jean-Marc Lalonde (Prescott and Russell): It is with great pleasure that I direct your attention to the gallery to present to the House two members of the Royal Canadian Legion from eastern Ontario: Mr Jim Wynn from L.T.H. Russell Branch 372, and Mr Brian Markwick from Chesterville Branch 434.

These two individuals are in Toronto today to take part in the 36th Dominion Convention of the Royal Canadian Legion. Mr Wynn and Mr Markwick are also chairmen of the 50th anniversary celebration for their respective branches.

I would like to take this opportunity to express my appreciation to all members of the Russell and Chesterville branches for their involvement in their communities since 1946. Those two branches, like so many others across this province and this nation, have done so much over the past 50 years for the veterans, their families and their communities.

Mr Wynn and Mr Markwick, in the name of the people of Prescott and Russell and all Ontarians, it is with great respect that I congratulate you and all your members for 50 years of outstanding contribution to our communities.

NATIONAL ABORIGINAL DAY

Mrs Marion Boyd (London Centre): This Friday, June 21, will be the first celebration of the recently declared National Aboriginal Day. This day of celebration is for all Canadians, particularly young people, to learn more about the aboriginal cultural heritages of our nation.

June 21 was selected as the date of celebration because of its symbolic importance to many aboriginal groups as the summer solstice. The initiation of this special day is particularly appropriate, as it has come during the United Nations International Decade of the World's Indigenous People. It is a day for Canadians to get together to learn about each other, to take time to reflect on and appreciate the contribution of aboriginal people to our country and to our province. There will be celebrations across the country, many here in Ontario, from Windsor to Ottawa, to recognize this new day on Canada's calendar.

During these times, as aboriginal people struggle to achieve self-determination and self-governance, it is important that all of us work hard to maintain the lines of communication. Our outstanding issues can be resolved

to the benefit of all of us if we continue to work as partners. The declaration of June 21 as the day to celebrate the contributions of aboriginal people of Canada is one way to maintain that communication.

This initiative was supported by my colleague federal NDP MP Nelson Riis from the riding of Kamloops through the introduction of a private member's bill. I am happy that we in Ontario will be celebrating, along with the rest of the country, this very special day.

WOMEN'S INSTITUTE

Mr Toby Barrett (Norfolk): I wish to make mention of an important event that will be taking place on this day in 1997. Preparations are well under way for the 100th anniversary of the Federated Women's Institutes of Ontario and Canada. This will be held in Hamilton, June 17 to 22, 1997.

Women's institutes link seven million members worldwide. Over 2,000 delegates from across Canada and around the world will be taking part. The theme for the convention is "Indebted to the Past, Committed to the Future."

During times when we are all looking for a community esprit de corps and to fan the flame of volunteerism, we need not look beyond the work done by women's institutes. My family has had a long association with the Marburg Women's Institute in my riding of Norfolk. To commemorate their 75th anniversary I conveyed our government's support last fall. The Marburg Women's Institute is just one of many in my riding and across Ontario.

Women's institutes are proud of the work they've done in the past 100 years to improve the lives of families, to manage homes in the best way possible and to provide leadership in their communities. If ever our society needed groups like the women's institutes and the junior women's institutes, it is now. I am confident that women's institutes will continue their efforts for another 100 years.

FOREST FIREFIGHTING

Mr Michael Gravelle (Port Arthur): The forest fire season has arrived in Ontario with a vengeance. In northwestern Ontario alone, there are presently over 180 blazes being battled right now. This past weekend, our hardworking fire crews managed to extinguish 28 blazes, but weather forecasts of hot and dry conditions threaten many more outbreaks in the next few days.

I want to tip my hat to the extraordinary work being done by all those involved but at the same time draw the attention of the House to the fact that many of the fire

crews have been brought in from Alberta and British Columbia, not to mention Minnesota and Wisconsin.

1340

While we welcome whatever help is needed to fight these blazes, it is important to note that all the costs associated with these out-of-province crews — salaries, benefits and transportation — are paid for by Ontario taxpayers. Why is the Minister of Natural Resources not hiring more workers from northwestern Ontario, let alone from all across the province, who are qualified to do the job?

We know the minister reduced the fire protection budget from \$35 million to \$30 million this year. We know the minister eliminated 60 jobs earlier this year by cutting back on 20 three-person firefighting crews. We also know that the unemployment rate is over 10% in Thunder Bay, 12% in Geraldton-Longlac, and 15% in Atikokan. People are calling my office and the offices of my colleagues indicating their desire to work on these devastating fires.

Minister, I'm calling on you to continue to fight these fires in an aggressive manner, but to recognize that we have thousands of Ontario citizens who are ready, willing and able to be part of this huge job.

GOVERNMENT'S AGENDA

Mr Gilles Bisson (Cochrane South): Yet again over the weekend I met many, many people in my constituency, as many other members of the assembly do when they go back to their ridings on the weekends, and the message is always the same. It astounds me: From community to community throughout the riding of Cochrane South, from coffee group to coffee group, community event to community event, to individual meetings with constituents, I'm getting more and more a large amount of concern from the constituents of Cochrane South as to what the Harris agenda means to them in the constituency of Cochrane South.

They worry; for example, the people I met in Iroquois Falls just recently who are not with day care at this point because the government cancelled a conversion program of the day care spots in the community of Iroquois Falls. I have in other communities such as Timmins situations where many people who are having to return to college this year don't have somewhere to bring their children because of the cancellation of much-needed day care spots within the city of Timmins.

They worry about what happened with the roads last winter in regard to the poor maintenance condition of our highways, with highways being shut down for days on end and the condition of those highways being dangerous to the point that we've never seen them before. They worry and they're concerned about what's happening with the repairs of our highways, where we should be seeing construction crews out on the highways across northern Ontario fixing up the frost heaves caused by the winter damage of the road from last year but they don't see that happening.

They worry about what's going to happen to our forests with the cancellation of fire crews and fire stations

throughout northern Ontario, when the full effect of that comes to roost next spring where we're going to see an increased amount of fire damage within our forests.

So I say there's no common sense in this. This is about a government for big business.

DOUG KENNEDY

Mr Carl DeFaria (Mississauga East): I rise today to pay tribute to Robert Douglas Kennedy, who was born in Dixie on June 15, 1916, an area which I now represent known as Mississauga East.

Doug Kennedy was introduced to politics by his father, John Robert Kennedy, who was a councillor and clerk for the township of Toronto, and by his uncle, the Honourable Thomas Laird Kennedy, who was the Minister of Agriculture in this province for 34 years and served as interim Premier for nine months between 1948 and 1949.

Doug Kennedy was a school trustee from 1955 to 1963. He was Hydro commissioner from 1963 to 1967. When Peel was divided into two ridings in 1967, Doug Kennedy was elected as the provincial representative for Peel South, and was re-elected in 1971, 1975, 1977 and 1981. For 18 years he served in numerous ministries, including as parliamentary assistant to the then Minister of Education, the Honourable William Davis.

Doug Kennedy has dedicated more than half of his life to serving Ontario. Last Saturday I was privileged and honoured to participate in the celebration of his 80th birthday. Congratulations to Doug Kennedy.

GOVERNMENT'S AGENDA

Mr Joseph Cordiano (Lawrence): It is now one year into this government's mandate and this government's imprimatur is now more evident. The progeny of the Family Compact that sit smugly across the aisle, the revolutionary maniacs, sit there in the knowledge that they are leading in the current polls. But listen well, you Reformistas, because there is a price to be paid for everything, and in the end you will pay the price for overindulging in your zealotry.

What is clear is that many of our communities are doing with a lot less. The government's mantra of doing more for less is clearly bogus. What is true is that people are getting a whole lot less for less. Ontarians are not getting the same levels of service they used to.

As the Toronto Star pointed out in a weekend article, there are fewer police, fewer nurses, social workers, librarians, paramedics, transit drivers. And it is clear that crime is on the increase. It is a real problem in Metro Toronto and across this province.

York region's board of education, growing by 3,000 pupils a year, has slashed its per pupil spending from a high of \$7,219 in 1993 to \$6,993 this year, and they've cut junior kindergarten. As well, Peel region's police department has added one extra police officer in the past five years while its population has increased by 116,000 — incredible.

This is not common sense. This is clearly a sign of a government that is downsizing in the stupidest of ways.

TOWN OF OPASATIKA

Mr Len Wood (Cochrane North): Today I would like to congratulate the town of Opasatika, Ontario, on its 20th anniversary as of April 1. As many of you are from communities considerably older and larger than Opasatika, this might not strike you as a momentous occasion, but it is.

This community of 388 in my riding of Cochrane North has survived a disaster, the closure by the Department of Defence of the Lowther air base in 1986, cutting the community's population in half. They were able to weather the storm and now they are prospering. Hyundai Canada established a cold-weather test facility there, the lumber company Excel has undergone an expansion, and this month they hope to start construction on a mushroom farm worth \$1.3 million that will create 20 full-time jobs.

During the past two decades Opasatika has averaged nearly one large project per year and, unlike most of us, the municipality even has a reserve of \$500,000. Would that the towns of Cochrane, Hearst and Kapuskasing, which recently lost a total of 42 jobs because of your government's cut to the Ministry of Natural Resources' budget, and other smaller communities suffering from your government's cutbacks do as well as Opasatika. They can't expect very much from this government.

I was pleased on Friday to attend a seniors' banquet in Opasatika, where the people are all smiles and know that they're going to prosper. There were people from all over the community. I was also in Mattice and Smooth Rock Falls for seniors' banquets. I want to congratulate all the seniors in this province during the month of June.

MICHAEL AMANN-EWASCHUK

Mr Jim Brown (Scarborough West): "Would you know my name if I saw you in heaven?" Kids cried as this song was played at Michael's funeral. Michael Amann-Ewaschuk, 18 years of age, was being laid to rest last Wednesday. Michael was stabbed at the Main Street subway station, another result of youth violence. Michael's family is with us today in the gallery.

For the overflowing crowd at Michael's funeral it was their first taste of death. Kids the age of my daughter wept. Death had probably never touched their lives before. It was final. They knew it now.

There were pictures of a handsome young man in his prime, of Michael in his soap box racer, in a team baseball picture and at a lake fishing with young friends — the things we've all done, family things snuffed out in seconds by such a senseless act.

Michael's family does not want his death to be in vain. They've established the Michael Amann-Ewaschuk Youth Crime Prevention Fund. I applaud the family.

I do not want to see again the sadness, the finality of life with so much promise, the end of dreams for family and friends, the agony of senselessness. I suggest that every member of any Parliament attend the funeral of a youth struck violently like Michael. Perhaps then we'll legislate away some of this awful youth violence. We have to change things. Too many of our kids are in heaven already.

VISITORS

The Speaker (Hon Allan K. McLean): I would like to inform the members that we have in the Speaker's gallery today a delegation from Ethiopia. Please welcome these guests.

We also have Senator Terry Lister, with the Legislature of Bermuda. Welcome.

Mr David Turnbull (York Mills): On a point of order, Mr Speaker: I thought the members should be aware that almost the entire York Mills PC executive is in the members' gallery today.

1350

STATEMENTS BY THE MINISTRY
AND RESPONSES

LANDFILL

Hon Brenda Elliott (Minister of Environment and Energy): Today I am tabling new landfill standards that will ensure the environment is protected and will make the approvals process less costly, less time-consuming and more predictable.

These standards are among the toughest in the world. They will help reduce the considerable stress on communities that are looking for landfill sites. We've heard from those who build and operate landfill sites and those affected by them. They have said, "Give us the standards and let us work it out." Now we're acting on that message while ensuring the environment is protected.

In the past, approvals for waste sites often took years, costing millions of dollars. In many cases, after considerable expense and time, proposed sites were rejected. The result was a no-win situation for everyone involved. Today, we are changing that. For the first time in Ontario's history we are introducing clear and comprehensive, state-of-the-art landfill standards.

We are inviting public comment on stringent landfill standards that are second to none in protecting the environment. These clearly defined standards, combined with the improvements we are making to the Environmental Assessment Act, will make the approvals process more certain, more flexible and less costly. They will also ensure that proponents don't waste unnecessary time trying to satisfy us.

I have just released landfill standards that set requirements for the following: siting considerations to protect environmentally sensitive areas; design specifications such as buffer zones, liners, leachate collection systems and covers; site operation, maintenance, security and environmental monitoring; standards to protect ground and surface waters and to control landfill gas; contingency planning, closure and post-closure care; financial assurance for private sector facilities.

We are releasing these standards for a 30-day comment period and inviting the public, especially interested groups and individuals who operate landfills or live near them, to make written submissions to my ministry's waste reduction branch by July 19. All comments will be considered by the ministry in finalizing these standards.

The standards I have just outlined, which are among the toughest in the world, will improve the landfill site approvals process by saving time and money while ensuring that the environment receives maximum protection.

Mr Dalton McGuinty (Ottawa South): I am pleased to respond on behalf of the official opposition to the Minister of Environment and Energy's statement. The minister's statement, from our perspective, is premised upon her assurances that the environment will be protected; to quote from the last sentence she read, "while ensuring that the environment receives maximum protection." I want to tell you why we have some grave reservations about the minister's intent with respect to ensuring that the environment is protected.

These assurances come from the minister who has told us acid rain is not a priority. These assurances come from the minister who tells us that she will not act to reduce smog. Furthermore, she did not act to assist the people of Toronto who want to put in place a bylaw which is going to restrict the length of time parked cars could idle. This from the minister who tells us as well that she is not fussy about riding public transit. This from the minister who's aware of only 79 former dump sites in Metro Toronto, whereas an independent source who's had access to public records tells us that are 800 former dump sites.

I want to take advantage of the opportunity now to list some of the minister's accomplishments to date. If we put them all together, she gives a very good impression of merely presiding over the gradual dismantling of her ministry. The budget to her ministry has been reduced by over \$200 million and she's going to lose 752 staff from now until 1997-98.

She has allowed for the effective elimination of protection for environmentally significant areas, such as wetlands, woodlots and ravines, and prime agricultural land. She has allowed for the weakening of controls on activities on public lands and public forests, which may affect the province's waterways. She's allowed for the elimination of \$142.5 million in funding for municipal sewer and water services over the next two years. She's allowed major reductions to take place in provincial funding to our conservation authorities and the facilitation of the dissolution of authorities and the sale of their lands.

She's allowing for the elimination of programs related to energy efficiency, waste diversion, environmental science, research and education, community environmental action and sustainable forestry.

She's allowing for the weakening of mine closure and remediation provisions under the Mining Act. That came about through the now infamous Bill 26.

She's allowing for the virtual elimination of provincial oversight in the management of Ontario's public forests. She's allowing for the proposal of the closure, consolidation, co-location or partnering of 60 of Ontario's 251 provincial parks.

She's allowed for the implementation of major cuts to provincial support for public transit and the repeal of land use planning requirements intended to curb urban sprawl. We've all known for too long now of the downsides of urban sprawl not only in terms of their economic and social but their environmental cost.

She has permitted the Intervenor Funding Project Act to expire, exempting the Ministry of Finance and financial restructuring measures from the public notice requirements of the Environmental Bill of Rights, and she's making it easier for provincial and municipal agencies to reject freedom of information requests.

She's allowing for the implementation of major cuts to the budgets of the Niagara Escarpment Commission and the Ontario Energy Board.

She's exempting banks from environmental liability under the Environmental Protection Act.

She's participated in the initiation, and we're all aware of this one, of a one-year review of all environmental regulations, with the intent of eliminating those which cannot be justified against criteria established by the Red Tape Review Commission.

I think it's perfectly clear that this minister has not assumed her own special responsibility, and that is to advance the cause of the environment at the cabinet table. It is apparent that nobody on that side of the House has assumed that responsibility, but there is only one person in particular who is charged with that responsibility, and that's the minister herself.

If the minister herself is not taking that on, then who is? Who speaks for the environment in this government? Who speaks for clean air? Who speaks for preservation of our natural wildlife? Who speaks for preservation of farm lands? Who's going to act against urban sprawl?

It's apparent that there's nobody over there taking any interest in preserving our natural environment, and we're going to pay for that for a long time to come.

Ms Marilyn Churley (Riverdale): I am going to speak directly to the regulations that have been introduced today. I'd like to start by saying that I'm sure the minister does not want to mislead the people of Ontario, so I want to correct something right away. These regulations are not the best regulations in the world, and they're by no means second to none. The United States is not the best jurisdiction to do comparisons, believe me. There are much stronger regulations in parts of Europe and in Japan.

It's interesting to note that under the introduction and purpose of the document put out today, the third paragraph talks about, "Although the Ministry of Environment and Energy continues to emphasize the three Rs..." Excuse me? This is after the government has cut funding through the blue box program, has brought back incineration, and is cutting about a third of your staff.

Then on page 3 under "Natural Heritage Features" it talks about how landfilling sites should be located in environmentally sensitive areas, and it goes to say, "The areas identified here are consistent with the recent provincial policy statement made under the Land Use Planning and Protection Act." I can tell you that this does not give me much confidence, because it's a big joke. This government has redrawn the map for defining significant wetlands. A lot of the areas originally under our government have been taken off that map, and it has been significantly reduced. So, believe me, that does not give us much comfort.

There's another thing I'd like to point out which I think is extremely important here, because if we will

recall, there was a question to the Premier recently. The Premier was asked if landfills will be subject to a full environmental assessment. Remember that? And what did the Premier say? He said, yes, landfills will have to be subject to a full environmental assessment. Well, the minister said today, and I heard her myself, that in fact landfill will not necessarily be subject to a full environmental assessment. It depends on a lot of criteria.

1400

What people have to do now is that a citizens' group and the municipality and the proponent, although who the citizens' group will be has not been defined, have to get together and agree upon the terms of reference, which means the minister hasn't even achieved her own purpose here in tightening the time frames, in speeding up the process.

It's incredibly naïve at best to think that you are going to get a bunch of citizens in a rural area, who do not want a landfill in their backyard, to sit down with the proponent, who stands to make millions of dollars, and agree upon terms of reference. The minister said that it cannot even come before her or the ministry until these terms of reference are agreed to. Give me a break. That's what's going to now hold up the process. So it's not going to make any difference. The process is going to be slowed down at the front end. That is when citizens are going to have their participation. That's when they're going to have their participation — down the road. Once, if ever, they do reach an agreement on the terms of reference, their participation is finished. The government then takes over.

They will get no intervenor funding, because this government cancelled intervenor funding. That's gone. I guess they'll have to have a few bake sales again. There's no guarantee of a full environmental assessment, but even if there is, they have no money to participate in a very, very complicated technical process which can cost hundreds of thousands of dollars to get proper testing done.

This morning when the minister was asked about this, she said, "Well, the proponent could give the citizens' group money." There's nothing to guarantee that they'll get money. Therefore, the proponent, again, who stands to make millions of dollars, will be doing all the testing and saying: "Trust us. We'll hire the right scientist; not the scientist you'd like, but trust us, we'll make sure that the proper testing is done." That is what will be given in evidence before an environmental assessment; that is, if there is an environmental assessment.

If this at least actually achieved the purpose which the minister and this government said they wanted to achieve, and speed up the process, perhaps we'd have some support for this, but it doesn't even do that, and it shuts out public —

The Speaker (Hon Allan K. McLean): The time has expired.

ORAL QUESTIONS

YOUNG OFFENDERS

Mrs Lyn McLeod (Leader of the Opposition): My first question is to the Minister of Community and Social

Services. My question has to do with the government's coverup of the beatings that took place at the Elgin-Middlesex Detention Centre on February 29, and the coverup of the fact that your government clearly knew about this incident nearly three months before the police were called in to investigate.

I use the term "coverup" deliberately, Minister, because no one can believe the stories that you and the Solicitor General were spinning last week. The Solicitor General has said he wasn't part of any coverup; he was just out of the whole loop. He says that even though his acting deputy was told about the event on March 4, this official, the most senior official in his ministry, didn't bother to tell the minister what was going on. But he did say that you knew, Minister, what was going on, because your deputy minister was told.

Your story goes like this: "Hey, don't blame me. I was as much out of the loop as Bob Runciman was. Nobody told me there were any beatings either."

Nobody can follow this, let alone believe it. You have had the weekend now for your spin doctors to get together with the Solicitor General's spin doctors and come up with a better story. So I ask you, what is your story this week, Minister? How do you explain this week why young people were brutally beaten up while they were in provincial custody? How do you explain why it was three months before the police were called in to investigate, and how can you possibly expect anyone to believe that neither you nor the Solicitor General knew what was going on even though both your deputy ministers were fully informed?

Hon David H. Tsubouchi (Minister of Community and Social Services): It's the same explanation I gave last week, essentially, and we'll deal with it sequentially so it is quite understood.

On March 4, I was advised that an incident had taken place at Bluewater on February 29. At the same time, I was advised that since the facility was not under the auspices of my ministry, nor were any of the young offenders involved under the authority or case management of my ministry, nor do I have jurisdiction over that particular facility, we had no involvement in this particular incident, and that's exactly the story I told last week.

Mrs McLeod: Just that the few remaining shreds of your credibility are wilting badly under the glare of the scrutiny of this story.

Let me understand it again: You want us to believe, even though your deputy was informed — clearly an issue of concern to your ministry, so that your deputy was informed — on March 4 that the child advocate was very concerned about the treatment of 40 youths, that you weren't told about the beatings. You want us to believe that even though your deputy minister made an urgent call to you on March 4 to tell you about this, somehow she failed to mention the fact that these young people had been beaten and somehow you just didn't ask; it was enough to be told there was an incident and you were simply relieved that somehow you didn't have to feel responsible for doing anything about it. You want us to believe that you knew nothing, that you heard nothing, that you passed on nothing? Even by the standards of

ignorance that you have sometimes demonstrated in the past, Minister, I find that a rather hard story to swallow.

The word "coverup" is written all over this, so why don't you admit that your deputy minister, when she briefed you on this, would tell you what was going on? Why don't you tell us whom you passed this information on to, why you took part in the coverup and who else joined you in the coverup?

Hon Mr Tsubouchi: I guess I can repeat what I just said, but I can say this as well, that we had no authority over the matter. In fact, at Elgin-Middlesex we have absolutely no involvement with that facility at all. So clearly, once again, the facility was not one that was under the authority of community and social services, nor were any young offenders under our case management involved at all. Lastly of course we have no jurisdiction.

I might comment, though, that I think the child advocate, Judy Finlay, in a story in the Toronto Sun over the weekend, indicated that it would not have been appropriate for us to become involved; in fact, "the Ministry of Community and Social Services would not interfere," she said.

So clearly not only did we have no involvement in the matter, it would be highly inappropriate for us to become involved while it's under the authority of another ministry.

Mrs McLeod: I'm sorry, but this is simply an unbelievable story. On February 29, 40 youths were beaten, prodded, kicked and deliberately humiliated while in the custody of the province of Ontario. The child advocate told your deputy minister. The Deputy Minister of Community and Social Services told her about this a few days later. You want us to believe that your deputy, when she then briefed you, as she was required to do, didn't tell you that the beatings had taken place — this is the person in your ministry whose key responsibility is to make you aware of major problems, major issues — she did her job; she briefed you; she called you to brief you, and yet somehow, as part of that briefing, she failed to tell you that anyone was beaten, that she just said it was an incident and you didn't need to worry about it, and as someone who follows a don't-ask, don't-tell policy you didn't think to ask her? Minister, it is one heck of a story and it simply defies belief.

I will give you one more chance to come clean on this. Tell us what you knew. Tell us what your deputy told you when she called you to brief you. Tell us whom you told and tell us what they said once and for all in this sordid affair. Tell the truth of what happened.

Hon Mr Tsubouchi: Once again, and let me make it very patently clear that what I was advised of was of the incident at Bluewater, which was the facility from which the young offenders were being transferred. Obviously my ministry felt, and I feel too, that we had no authority over the incident.

Clearly, once again for the third time, the facility was not ours, nor were any of the young offenders under our authority. Clearly there was no involvement by our ministry and clearly the child advocate also indicated that it would be highly inappropriate for us to become involved. I don't know how I could better answer the question to the Leader of the Opposition.

The Speaker (Hon Allan K. McLean): New question. To which minister?

Mrs McLeod: To the Solicitor General and the minister of corrections, to see if I can at least attempt to get his story straight and get around some of the contradictions between what he has been spinning and what your colleague, Minister, is spinning now, because you said last week that your colleague did know about those beatings, had to know about those beatings. because the deputy minister had been briefed on them, even though somehow you claim that you didn't know about them.

1410

A mother of one of the teens who was allegedly beaten by your officials while handcuffed called your office more than a dozen times during the month of March out of concern for her child's safety, and yet you claim you didn't know about that. The child advocate reported concerns about these beatings to your acting deputy minister and to the Deputy Minister of Community and Social Services as early as March 4, and yet you claim you didn't know about that. Then immediately after that briefing your colleague the Minister of Community and Social Services, according to you, learned about the incident at Elgin-Middlesex, and yet you claim that you still didn't know. How do you really expect anyone to believe it when you say you didn't know?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): I think most objective observers outside of this assembly will believe me with respect to this matter. I want to indicate that we shouldn't lose sight of the fact that there was a major riot at the Bluewater Youth Centre that caused substantial damage to two of the five dormitories. The estimate of damage was a quarter of a million dollars. It included broken windows, smashed furniture, flooding, fires.

Mr Bud Wildman (Algoma): So that justifies beatings?

Mr Gerry Phillips (Scarborough-Agincourt): They informed you of that; they did not inform you of the other things?

Mr David S. Cooke (Windsor-Riverside): Oh, he's got all the details on this; he knows all of this.

Hon Mr Runciman: Clearly they don't want to hear this, Mr Speaker. I'll respond when they want to hear the answer.

The Speaker: Go ahead, Minister.

Hon Mr Runciman: If they're ready for the answer, I will respond.

The question here surrounds the fact with respect to how the ministry responded related to March 4 and the receipt of the child advocate's report. The reality is — the child advocate has said this publicly to anyone who is willing to listen — that during that interim period she and ministry officials made every effort to move young offenders out of the Elgin-Middlesex facility. No one was happy with young offenders being in an adult institution. Every effort was made to move them, but they were frustrated at every turn by the labour situation. As you recall, there was a strike at the time in the public sector. They tried to move young offenders back into the Bluewater facility, but the union immediately filed an

occupational health and safety complaint, and they had to pull the youth back out of that facility.

The advocate has said time and time again that the ministry did everything possible — everything possible — in terms of her concerns about young offenders. To the Leader of the Opposition, who is talking about a coverup, let her explain what she's talking about in terms of a coverup.

Mrs McLeod: I asked the minister to put himself in the position of somebody who would be looking objectively at the facts of what has happened here. Of course the minister was aware of the original riot that took place. We all were; it was publicly reported. That is why your attempt to explain, attempt to suggest that you were not made aware of what occurred subsequent to that riot absolutely defies belief.

You have a serious public issue, you have a response taken to that serious issue, you have the child advocate who has told both your deputy minister and the Deputy Minister of Community and Social Services that she has serious concerns about the treatment of those young people who have been transferred to Elgin-Middlesex, and yet you are saying that neither your acting deputy nor the Deputy Minister of Community and Social Services saw fit to tell either you or, apparently, your colleague what was actually happening.

Do you really expect that anybody looking objectively at the facts of this would believe that two senior deputy ministers would actually fail to understand how serious this incident was and that they would therefore fail to inform you or your colleague of what had taken place?

Hon Mr Runciman: Any objective observer, as the leader makes reference to, would indeed, I think, support the position we put forward publicly. There's no indication — we have to look at the report of the child advocate, and what she has said publicly is that she shared the concerns of ministry staff with respect to extended incarceration of young offenders in an adult institution. Every effort was made to move those young offenders; they were frustrated.

When the advocate approached the acting deputy and the deputy, she indicated that she had concerns she wished to investigate. She was encouraged at every step of the way with respect to that investigation. She has said that publicly. The opposition members obviously do not want to pay attention to that perspective from the child advocate. In terms of the communication, I have indicated publicly that I have a concern with respect to the fact that the protocol was not followed and we're pursuing that through the internal investigation.

Mrs McLeod: The issue here is really what the minister responsible, the Solicitor General and Minister of Corrections, knew about this situation and why he is denying any knowledge of it, and the fact that apparently his colleague also was not told, denies any knowledge of what happened. This is not some protocol issue of an incident that was happening deep within the bowels of the ministry; this is something where the senior deputy ministers, the people responsible for briefing the ministers on issues, were informed of what was happening. You are expecting us to believe that two deputy ministers failed to do what is the most basic thing for deputy ministers to

do, and that is to brief their ministers on something serious which is happening within their ministries. I say to you that is not believable by any objective standard at all.

You are further telling us that although you have a mother who is calling your office directly more than a dozen times in the course of one month, your own hand-picked staff failed to see this as serious and failed to tell you this was happening, and that too is not believable.

There is only one possible explanation for what has happened here, and that is that both the Solicitor General and the minister responsible for community and social services are covering up their knowledge, their responsibility for what has happened and their failure to take action. If you do not agree that is the explanation, will you agree to a public inquiry so that the facts as you see them can come forward?

Hon Mr Runciman: I'd like to know what's being covered up. The advocate expressed her concerns on March 4. She was encouraged to conduct a full investigation with respect to her concerns. Her report was delivered to the deputy at the end of May, and immediately upon receipt of her report the London city police were called in. She has indicated that in the interim period with respect to her expression of concerns and the filing of her report the ministry acted appropriately, that she was quite satisfied with respect to the steps taken by the ministry to ensure the safety of young offenders.

When the member raises these allegations of coverup, again I ask her to be specific. What is she talking about with respect to coverup? I don't think there's been any suggestion of coverup. The ministry acted appropriately with respect to her concerns, encouraged the investigation, called in the police immediately upon receipt of her report.

The Speaker: New question, the member for Dovercourt.

Mr Tony Silipo (Dovercourt): My question is to the Minister of Community and Social Services. I want to pursue with the minister some other aspects of the scandal that's plaguing his government.

Minister, you've said today that on March 4 you were informed that an incident had taken place at Bluewater. We know this call to you came from your deputy minister. Could you tell us in a little bit more detail what other details your deputy minister told you? She couldn't have just said to you, "An incident took place." You must have asked or she must have told you about the riot, about some of the other details. Could you please enlighten us on the nature of that conversation and what you understood from that conversation that had taken place?

Hon Mr Tsubouchi: What I was told and what I understood were the same things, and it's essentially what I just finished telling the Leader of the Opposition. I was advised by the deputy minister that an incident had occurred at Bluewater and that the young offenders had been transferred. However, once again, at the same time I was advised our ministry had no involvement in the matter. Clearly, we have enough on our plate at community and social services to do without interfering in another ministry.

1420

Once again I'll refer to the child advocate. I hope that the member is not doubting the integrity of the child advocate, because the child advocate has clearly said that it would not have been appropriate for us to intervene and the fact that we should not interfere.

Mr Silipo: No, we are not questioning the integrity of the child advocate but I am questioning very much your integrity today, and there could be no doubt about that. You expect us to believe that you get a call from your deputy minister saying that there has been an incident involving young people whom you are responsible for and you stop at that.

Whether or not the magical line had been crossed around 15-year-olds or not, Minister, the fact is as Minister of Community and Social Services — and I know because I've been there — you are responsible for the welfare of young people above any other minister in the cabinet. You cannot expect us to believe that on a call from your deputy minister that there had been an incident, that you would not ask, as she would not tell you, about the nature of that incident, whether or not you were legally responsible for it or whether or not the Solicitor General was legally responsible for it. How can you expect us, Minister, to believe this garbage?

What did your deputy minister tell you had happened?

Hon Mr Tsubouchi: I can only hope to assume that when the honourable member was actually in charge of my portfolio that he did not go across and interfere in other ministries, clearly crossing bounds of jurisdiction. Clearly this is the case here, and in fact contradictory to what the member is saying, we were not responsible for these particular young offenders and clearly that's where we didn't have any involvement.

Mr John Gerretsen (Kingston and The Islands): You're responsible for children.

Hon Mr Tsubouchi: The members over across the way are indicating a certain other responsibility, but certainly when the member was the Minister of Community and Social Services, had he felt so strongly about it, he could have done something about changing that authority.

Mr Silipo: Minister, you can just continue with your arrogance, with your petulance; you can continue with your attitude of, "I didn't know anything; it wasn't my responsibility," but that isn't going to get you anywhere, because the people of the province are understanding more and more, to put it mildly and to put it lightly, the uncaring attitude that's coming out of your ministry and out of you as the minister.

The other aspect that I want to ask you about, Minister, is, this was March 4 — I think a Monday, according to the calendar, a Monday or a Tuesday — how can you expect us to believe that you would not have talked, formally or informally, with your colleague the Solicitor General, given the seriousness of the incident that had taken place, at any time in the following days? You don't talk to him at cabinet? You don't talk to him as you meet him in other meetings? You don't raise at all this issue? Why did you not at any point in the days that followed March 4 ever raise these concerns with the Solicitor General and the Minister of Correctional Services?

Hon Mr Tsubouchi: This is going to be a well-known passage by the time I finish. The member is asking why there are no discussions held, but once again, Judy Finlay, who is the child advocate, indicated that it would not have been appropriate. I don't know how much of that is difficult to understand — would not have been appropriate nor should we interfere. That's clearly the whys.

Interjections.

The Speaker: The member for Cochrane South is out of order. New question.

Mrs Marion Boyd (London Centre): My question is to the Solicitor General. Minister, you didn't know about the allegations at Elgin-Middlesex for three months, even though your acting deputy minister knew on March 4. You didn't know about the allegations that managers at Elgin-Middlesex and at Bluewater were, on the weekend of June 8, in the facility till all hours and that there were allegations that documents were shredded. First you said those managers were part of an internal investigation team and then you told us they weren't.

You said you called in the London police on May 31, immediately upon receiving the report, but in fact the London police only assigned officers to begin their investigations on June 10, after those allegations came to light regarding the possible shredding of documents and that records may have been tampered with. Then on Thursday in this House we raised concerns regarding the superintendent, George Simpson, who was informed in writing on numerous occasions from several of the staff at the institution of allegations of assault. He hadn't done anything to address those concerns. He hadn't called the police, as the policy requires, and he hadn't informed you.

As a result of our questioning on Thursday, we understand that George Simpson was reassigned outside the institution on Friday. Could you explain why the superintendent was reassigned not on March 4, when your acting deputy minister found out about these allegations, not even on June 5, when you found out about these allegations, but last Friday?

Hon Mr Runciman: I'm not at liberty to discuss the situation related to Mr Simpson.

Mrs Boyd: Perhaps then I should suggest to you a very good reason why this particular superintendent should have been reassigned a long time ago.

I have a copy of a memo that Superintendent George Simpson, the same individual who has now been reassigned, sent to all shift supervisors, that is management, at Elgin-Middlesex. That memo is dated June 7, 1996. Let me read to you from the memo:

"All shift supervisors are required to attend a staff meeting at 1300 hours on Tuesday, 11 June 1996...."

"Commencing at 0800 hours on Monday, June 10, 1996, copies of the child advocate's report will be available from Doug Ogilvie for reading in the staff training room. These reports are not to be copied or removed from the staff training room and are to be returned to Mr Ogilvie upon completion."

That memo was signed by Mr Simpson as the superintendent. We find out now that those managers were allowed to read the child advocate's report and then were

required to attend a staff meeting, where none of us can believe, of course, this whole issue wasn't discussed.

Minister, you refused to release the child advocate's report to the public because you said there were managers who might be subject to ongoing investigations and they were allowed to read that report. It's our understanding that managers at Elgin-Middlesex have read the report, that they did read the report. Could the minister explain why the child advocate's report was available to management staff who may be the subject of ongoing criminal investigations by the London police and by the internal ministry investigation?

Hon Mr Runciman: I haven't indicated that I'm not prepared to release the report at some point when it becomes appropriate to do so. I've indicated that initially I asked for a verbal opinion from the Ministry of the Attorney General with respect to the release of that report and expressed concerns. I then asked that I be given a written comment, report, recommendation from the ministry with respect to the implications of publicly releasing that report. The Ministry of the Attorney General advised my office and me personally that it would be inappropriate, given the criminal investigation that is under way at the moment, that we release the reports, that we may indeed jeopardize those investigations. I'm following that advice.

Mrs Boyd: The memo from George Simpson is dated June 7. Those reports were available for managers to read on Monday, June 10, the Monday after the weekend when the managers were in the facility till all hours, and all those managers were required to attend a staff meeting the following day.

You said last week that releasing the child advocate's report to the public might jeopardize ongoing criminal investigations, but I wonder how you can justify the fact that the very people who might be the subjects of those ongoing investigations had access to these reports and may have had an opportunity to discuss among themselves, at a meeting which they were all required to attend, what their strategy would be. Minister, how can it be appropriate for you to have allowed this to happen?

Hon Mr Runciman: This is related to a matter which I am not at liberty to discuss, not only because of the criminal proceedings but the internal investigation and all the ramifications and implications surrounding that.

1430

LANDFILL

Mr Dalton McGuinty (Ottawa South): My question is for the Minister of Environment and Energy. You are charged, as you well know, with the responsibility of knowing where all Ontario dumps are, whether those in actual use or those formerly in use. It's important to know where all the old dumps are because in many cases they contain dangerous materials and sometimes carcinogens.

Your records show that there are 79 old dumps in Metro Toronto. But Dr Richard Anderson, a York University geography professor, has finished some research which says that there are not 79 but 800 old dumps in Metro Toronto and that there are schools,

houses and parks built on or near some of those sites. Can you assure us that you now know where these 800 sites are and tell us what steps you are taking based on this information?

Hon Brenda Elliott (Minister of Environment and Energy): I am aware of the report that a gentleman has recently released. Unfortunately, the Ministry of Environment and Energy has not yet had an opportunity to examine the information contained within that report.

With regard to old dump sites across the province, in 1985 the ministry undertook to do an inventory of sites across the province, and about 2,300 sites were determined. From that, the most difficult were then narrowed down. About 370 sites were considered to be worthy of investigation. An independent study then looked at those sites, and of those, 25 — so we started with 2,300 and we ended up, across Ontario, looking at a number, 25, which were identified as the worst by an independent consultant hired by the ministry. No significant impacts were identified when those 25 from that original 2,300 were studied.

Mr McGuinty: There are 800 sites with which this minister is not familiar. Those are 800 sites which potentially house or contain dangerous materials. This minister has taken no steps, obviously, so far to find out where those sites are. She's going to have to assume some responsibility in this regard. Her records show that there are 79 sites.

Interjections.

The Speaker (Hon Allan K. McLean): Order. I'm having a problem hearing the question. Would the House come to order, please.

Mr McGuinty: We have independent confirmation to the effect that there are 800 sites, some of which are located below schools, parks and newly constructed homes. The minister is going to have to assume some responsibility here, and she has failed to do so to date. Will you now accept responsibility for this matter and immediately obtain Dr Anderson's work from him, test the sites and then inform us of what dangers we're facing?

Hon Mrs Elliott: To listen to my critic across the floor, he sounds as though there was never an environment minister who had come before me. These sites have been out here for a very long time. We are concerned; we have been concerned about it. My ministry has been working on this for years. The gentleman opposite was a minister at the time. My colleague across the way, when he was the minister, was also concerned about this.

The report this gentleman refers to has not yet been released to the minister. We can only hope that the gentleman who did the work will choose to share it with the ministry. Then we can pursue it further.

YOUNG OFFENDERS

Mrs Marion Boyd (London Centre): My question is to the Solicitor General. In your job you're responsible for ensuring that police investigations go forward in an appropriate way, and yet, if I may be so bold as to suggest, your incompetence and lack of control within

your ministry has clearly jeopardized the ongoing investigations into the allegations of what happened to young offenders under your control at the Elgin-Middlesex Detention Centre.

You finally reassigned the superintendent, who in my opinion, and I suspect the opinion of most others in this House, ought to have been moved out months ago. You knew that the superintendent was present at the institution during the strike. We told you, as did OPSEU, that the superintendent was informed in both April and May of the allegations that young people had been beaten. He did nothing, even though he's required to do it by the policy of your ministry.

On June 8, managers went into Elgin-Middlesex, and there are allegations that the shredding of documents took place, documents that may or may not be related to this particular investigation. The superintendent was there at the time. He should have been reassigned months ago. And what about the other managers at Elgin-Middlesex who may be the subject of ongoing investigations who are still present at the institution and may have access to relevant information?

The Speaker (Hon Allan K. McLean): Put your question, please.

Mrs Boyd: Minister, do you not think it's appropriate for managers who may be the subject of internal and police investigations to be kept away from an institution while those investigations are under way and for the records in that institution to be secured? Do you think this could jeopardize the investigations, the fact that those records were not secure and were not kept safe from the very people who are under investigation?

Hon Bob Runciman (Solicitor General and Minister of Correctional Services): It's interesting to note that we've heard from both opposition parties today and the conclusion reached is "guilty as charged." I've said from the outset that these are allegations related to the complaints related to the managers and to the treatment of young offenders as they arrived at Elgin-Middlesex.

On this side of the House, we believe in due process. There is an internal investigation and there's a police investigation, and we think we've acted appropriately with respect to reassignment related to those allegations. When allegations have been raised related to the activities of correctional officers as well as managers, we have ensured reassignment so they are not in any way, shape or form involved with activities related to young offenders.

Mrs Boyd: We need to make it very clear that no one on this side of the House is making an assumption of guilt in these allegations at all. What we are saying to the minister is that you are making assumptions; you are not following the procedure that you yourself have said is appropriate when investigations are under way. We spoke last week about your very strong comments in the Piper case, where you said it was absolutely unacceptable for Mr Piper to be allowed to go to his office without the supervision of the police. This is exactly the same kind of situation, only it's much more serious because it involves allegations of personal injury to young people under the authority of this government, young people who deserve the protection of this government.

Minister, you are responsible and indeed you must be held accountable for what happens in your ministry.

Interjection.

The Speaker: Member for Etobicoke West, come to order.

Mrs Boyd: Frankly, there's been incompetence, there has been delay, there has been insubordination, and now there is a possibility that the very investigations that have been put in place may be useless because it may not be possible to have evidence untainted by what has gone on.

The Speaker: Would you put your question.

Mrs Boyd: We know those managers read the child advocate's report. That in and of itself smacks of a coverup. Why did they read it? Were they going to be talking together about how they were going to cover this up further?

Minister, quite frankly, as a result of our questioning over the past few weeks, you've shown yourself to be nothing but reactionary. You're not proactive on behalf of the youth in your care; you are simply reacting day after day, lurching from crisis to crisis. Do the honourable thing and resign.

Hon Mr Runciman: I've been waiting with bated breath for that one.

I've indicated from the outset that no one was happy with the movement of young offenders from an essentially destroyed facility into an adult facility. Every effort was made, and the child advocate has indicated from the outset — if anyone in the opposition party is prepared to listen to the positions she's put forward with respect to efforts made to move young offenders out of an adult institution and into an appropriate setting. She has also indicated publicly again that she has been very much satisfied with the response of the ministry related to the treatment of young offenders during that interim period. She also received maximum encouragement and support during the efforts in terms of her investigation of her concerns, and once that report was tabled, the ministry acted immediately in terms of calling in the police. Once the concerns were raised related to the managers' activities on the weekend in question, I indicated my strong concern as well, and I have broadened the investigation to include that particular element and called in a senior counsel from the Ministry of the Attorney General. I think we've acted quite appropriately.

1440

AUTOMOBILE INSURANCE

Mr Douglas B. Ford (Etobicoke-Humber): My question is for the Minister of Transportation. Recently you participated in the announcement of the government's package of auto insurance reforms, spearheaded by the member for Mississauga West. Although there was great attention given to the reforms that will ensure rate stability for auto insurance for Ontario motorists, many people may not be aware of the reforms around uninsured drivers that your ministry is undertaking. Would you explain the role of the Ministry of Transportation in these reforms?

Hon Al Palladini (Minister of Transportation): I thank the member for Etobicoke-Humber for the question.

Yes, this government is committed to reducing the number of uninsured vehicles operated in Ontario. MTO is working with the insurance industry to help stabilize the cost of insurance, reduce fraud and help distribute the costs of insurance more fairly. Thanks to the excellent work of the Ministry of Finance and my friend the member for Mississauga West, all road users will benefit from the amendments in this legislation. The part of this legislation that directly involves MTO is the requirement that the insurance industry report insurance status on vehicles being driven on our roads.

Interjections.

Hon Mr Palladini: This is a very interesting subject and I would appreciate it if the honourable members would at least listen. I believe the people of Ontario would like to know what this government is doing for them.

We will help consumers in other ways. We will further introduce legislation that will prevent fraud relating to wrecks and stolen vehicles. This will help reduce the cost of insurance even further.

Finally, we are working with the industry on a number of other initiatives to further benefit the people of Ontario.

The Speaker (Hon Allan K. McLean): The question has been answered. Supplementary?

Mr Ford: Would the minister also explain to the House how the insurance verification process will work and what the punishment will be for those who would have others assume the risk for them being on the road?

Hon Mr Palladini: MTO will not register a vehicle not covered by compulsory automobile insurance. Police will be able to verify insurance status during routine enforcement checks and have the information to lay the appropriate charges for operating a vehicle without insurance or possessing a false insurance certificate. Penalties for operating a vehicle without insurance are going to be quite substantial. For a first offence, fines will range from \$5,000 to \$25,000. For a subsequent conviction, fines will range from \$10,000 to \$50,000. Those convicted of possessing and the use of a false insurance certificate will receive fines up to \$50,000. MTO will work with the industry to enable electronic access of insurance information.

NUCLEAR SAFETY

Mr Sean G. Conway (Renfrew North): My question is to the Minister of Energy and it concerns nuclear reactor safety. Minister, in recent days the federal regulator, the Atomic Energy Control Board, has weighed in yet again to publicly complain about the sloppiness of the Ontario Hydro management at the nuclear power stations. Pickering seems to be a particular concern.

We've had evidence in recent days that the board of Ontario Hydro is actually going to go to court to try to prevent the order of the freedom of information commissioner that internal peer evaluations of what's going on inside Ontario nuclear power reactors become public.

Given what the federal regulator has said, given the concern and the interest of people living in areas like Pickering, Oshawa and Whitby, will you commit today that the order of the freedom of information commis-

sioner — that those internal peer evaluations of the operating practices within Ontario's nuclear power reactors will be made public forthwith?

Hon Brenda Elliott (Minister of Environment and Energy): I have stated on many occasions in this House, when asked about the nuclear facilities in this province, that we are very concerned about the safe operation of each and every one of these facilities. That has not changed. We are very concerned about this.

The issue of the peer reviews is a difficult one. I have said on many occasions that this is an issue of concern for this reason: A peer review is advice given by peers in a full and frank way to Ontario Hydro as part of its tool to maintain its operation by critically examining the maintenance of the facility. We are concerned that if peer reviews are made public, this is a tool that will no longer be available to Ontario Hydro for critical review and hence improvement of its facility.

Mr Conway: Ontario's information commissioner, having looked carefully at the case involving these internal reviews, has said that there is a public interest in these internal safety reviews being made public. The federal regulator, in recent days, has said that the pattern of sloppiness and bad attitude at Ontario Hydro's nuclear power stations is not getting any better.

Minister, are you simply going to stand in your place and tell the people of Durham region and Bruce county that notwithstanding the stated concerns, stated repeatedly by the federal regulator, and notwithstanding the position of the Ontario freedom of information commissioner that these internal reports should be made public in the public interest, is it still your position today that, notwithstanding all of that independent adjudication, your position and the position of the Ontario government is going to be to allow Ontario Hydro to go to court and to try to keep these internal reviews from seeing the light of public scrutiny?

Hon Mrs Elliott: What I do not want to occur is for the public to be confused between the two things that are being mentioned here.

The Atomic Energy Control Board is the board to which I look for advice on the safe operation of all nuclear facilities and, believe me, if they give this government advice that one of the operations should be shut down or that major changes should be made, we will act and we will listen closely.

But there is another issue at hand here, and that is the integrity of the peer review. This is a tool given to Ontario Hydro by peers who critically examine issues at nuclear stations. They are given because they know the information will be kept in confidence; therefore, they are frank and they are meant as a working tool, and they are expected to remain confidential. Neither did this government release it nor did this government when they were in power release it, because they knew it was critical to the advice given to Ontario Hydro to maintain its operation in the safest possible way.

YOUNG OFFENDERS

Mr Bud Wildman (Algoma): I have a question for the Premier. The Solicitor General and the minister respon-

sible for corrections has handled the situation at Elgin-Middlesex Centre after the riot at the Bluewater correctional facility in a most unacceptable manner. The minister should have known in March about the serious allegations that had been raised, yet three months later he was only finding out about those allegations, even though his deputy minister was aware of the child advocate's report.

The minister has been flying by the seat of his pants. He has given the House incorrect information which he has changed subsequently. He has given answers in the House which he has then corrected subsequently here and outside. It's clear that the minister hasn't had control over his ministry and what's happening in the ministry. He's found out about very serious allegations because they've been raised here or in the press; he hasn't found out about them from within his ministry. He's dealing with this in a manner of one crisis after another. Every day there are new allegations and new comments the minister tries to deal with.

1450

If the Solicitor General and minister responsible for corrections is unaware of what is really happening in the ministry, the public can't have the proper confidence they should have in the correctional system. If that's the case, in view of this ongoing scandal, would the Premier restore confidence in the correctional system and request the minister to submit his resignation?

Hon Michael D. Harris (Premier): I thank the member for the question. Yes, I'm feeling much better, thank you very much. I'm happy to be back.

Let me say that I have followed with some interest the question period over the last week, and as I have watched events unfold and watched media reports both from those of who knew what at Bluewater and Elgin-Middlesex and what has been revealed by the children's advocate, I want to tell you that I have been singularly impressed by the job the Solicitor General and Minister of Correctional Services has done. It's been a challenge to restore integrity after 10 years of neglect, but this man has singlehandedly done it in one year.

Mr Wildman: It's interesting the Premier would give that kind of response when we're dealing with a situation that occurred in February of this year and which has been ongoing since. Surely the Premier agrees that the minister is ultimately responsible for the actions or inactions of his ministry staff, and he is responsible for knowing what is going on within his ministry and ensuring that actions are appropriate. If the Premier accepts that, how can he accept the fact that today and over the last week allegations have been made that the investigation of the events at Elgin-Middlesex has been compromised by the actions of ministry staff?

How is it that ministry staff could be in the facility to many late hours, going through materials, perhaps shredding them, and then subsequently the report of the child advocate would be made available to the managers who might be subject to investigation?

These are allegations. The minister was not ware of them. He should be aware of them. If the Premier accepts that the minister should be aware of what's going on within his ministry and in control of what's going on in his ministry, how can he now stand here and say that he

is impressed? Surely the Premier understands that the minister is ultimately responsible and he should be demanding the minister's resignation.

Hon Mr Harris: I want to say very clearly that to date I have had not one single letter, and to the best of my knowledge phone call, from the public calling for what it is you ask for, so whatever it is seems to be either in the imagination or the political desire of the members of the opposition to raise these issues.

You had talked, by way of your question, about accepting responsibility. What has singularly impressed me is the dramatic change from the last 10 years of pointing the finger, of "Not me; oh, it was somebody else"; of doing this or of doing that; "Let's bring in" — "Oh, we'll take a lie detector test," or, "We'll do all these things." For 10 years the public was faced with this, with ministerial accountability from the Liberals and then from the NDP. What I saw while I was at home not very well, perhaps having eaten strawberries at the wrong time —

Ms Marilyn Churley (Riverdale): Shame on you. Kids were beaten.

The Speaker (Hon Allan K. McLean): The member for Riverdale.

Hon Mr Harris: — what I saw was the minister stand in his place and say: "I accept responsibility. I am not happy. The whole reporting procedures were not handled well." He didn't blame the fact that he inherited all his staff from the mess you people left us, but he said: "I am not happy. I accept responsibility. I as the minister accept it and I as the minister have instituted a thorough review."

As you know, there are investigations being undertaken of a criminal nature involving we don't know who. You can't talk about that while that's ongoing. Not only that, but the minister himself has said, "I personally am not happy with the reporting mechanisms. Maybe it was good enough for the former government, but it's not good enough for me," and he's put in place a procedure to change it. Good for him for a change.

EDUCATION FINANCING

Mrs Helen Johns (Huron): My question is to the Minister of Education and Training. The board of education in Huron county spends \$4,500 and \$5,000 respectively to educate our children, yet in some jurisdictions up to \$9,000 is being spent per student. This inequity endangers the future of students in Huron county and leads to a two-tier education system. My office and the office of Mr Johnson from Perth county have been inundated by cards and letters from both public and separate school supporters demanding education finance reform. What response will you give to those demanding fairness in education finance?

Hon John Snobelen (Minister of Education and Training): I think this —

Mrs Sandra Papatello (Windsor-Sandwich): How many portables in Peel?

Hon Mr Snobelen: One of the members opposite thinks this is not an important question, but I do. I think a lot of the people of Ontario would like to hear an answer to this question.

The member has indicated that 1,500 people have written in to her on this issue, and I'm not surprised. As we look for better value for taxpayers and parents and higher student achievement in our school system in Ontario, one of the astonishing facts that people are now waking up to is that there is a difference in per-student funding of over 30% between assessment-poor boards and assessment-rich boards. It leads people to question whether there is equity on a per-student basis for individual students in our current funding methodology.

As to the two-tiered suggestion, it's very interesting to note that while there is an enormous difference in the amount of spending per student, I can't find an appreciable difference in the only quality issue that really matters, and that's student achievement. It's very clear to me and very clear to this government that we need changes in the way education is funded in Ontario so that we can have an equal opportunity for every student in the province. We are committed to doing that and we are working with the groups, the people in Ontario we need to work with to get to that point that I think we could all agree on.

Mrs Johns: During the debate on Bill 34, the Ontario Public School Teachers' Federation dismissed the suggested reforms of education finance as provincial pooling of local tax assessments through the back door. Given that education finance working groups also seem to be unable to reach a consensus on the future finance model, what hope do you see for fairness in funding for the children of less wealthy school boards across Ontario?

Hon Mr Snobelen: There are a number of people in the province who are clearly committed to equal opportunity in our school system and funding that represents that equal opportunity. We have said and the Working Group on Education Finance Reform recently reported and suggested a template for our current status quo of spending on a per-student basis. It's important that we keep in mind that we're funding students and not systems, and to make sure that our funding efforts are at students and not at systems.

It's interesting to note, and I think the members opposite would be interested in this, that the education finance reform working group, after spending over a year and a half — and these are people who represented the unions representing teachers across the province, the board associations and a variety of stakeholders in the education community — at the end of the day, representing their particular interests, these people could not agree on a fair funding formula for education.

We as a government, are committed to that and we will do what's required to make sure that every student in the province of Ontario has the same opportunity.

1500

OBSTETRICAL CARE

Mrs Sandra Pupatello (Windsor-Sandwich): My question today is for the Minister of Health. Mr Minister, today is D-Day in Essex county. Obstetricians as of today are taking on no new patients. You've had a year in government to resolve this growing crisis. Instead, you've provoked a showdown with our obstetricians. So far, the

minister has advocated sending mothers to the States to have their babies, sending them to the emergency ward. He's blamed the doctors. It's all their fault. Dr Keith MacLeod, the spokesman for all 12 obstetricians in Essex county, said very clearly, "We have not asked for a raise." They are still at 1992 levels. Instead, Dr Keith MacLeod says, "The minister is stealing what he owes us." I ask the minister today, will he stop this? Dr MacLeod is a very well-respected obstetrician and has seen parties come and go. He says he's never seen the likes of this before.

If you'll permit, Mr Speaker, my supplementary question: As of today, some 350 out of 500 obstetricians are stopping their practice in taking on new patients; 140 communities across Ontario are looking for obstetricians. Within two years 220 more obstetricians will be retiring. Every obstetrician in Essex county has been offered jobs outside and into the United States. Mr Minister, you're giving them the boot out the door. You are cutting health care. Windsor women will not find an obstetrician to take them on as new patients.

Mr Minister, if you cannot handle this very delicate situation, will you please find someone within your ministry who can?

Hon Jim Wilson (Minister of Health): I'm very much aware of the situation in the honourable member's area of the province and throughout the province. I'm working very hard on a solution to this problem. Much of what the honourable member has said in her two questions is just blatantly untrue and lacks any basis in fact whatsoever. Obstetricians, doctors who deliver babies were given a 30% increase on April 1 of this year, and for Dr MacLeod not to acknowledge that, he's simply wrong. We offered recently to pay back all of their insurance, so they would not only get their insurance back in the offer we made, but on April 1 they received an increase of 30%. So I just reiterate that for the honourable member and I say to the honourable member and to all members, as I said last Thursday, that a more comprehensive plan for doctors in the province is being developed and I hope to announce that very shortly.

MOTIONS

HOUSE SITTINGS

Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues): I move that notwithstanding standing order 8(a), the House will meet on Thursday, June 20, for private members' public business only, after which the House will adjourn until 1:30 pm on Monday, June 24, 1996.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

PETITIONS

NORTH YORK BRANSON HOSPITAL

Mr Monte Kwinter (Wilson Heights): I have a petition to the Legislative Assembly of Ontario.

"Whereas the final report of the Metropolitan Toronto District Health Council hospital restructuring committee has recommended that North York Branson Hospital merge with York-Finch Hospital;

"Whereas this recommendation will remove emergency and inpatient services currently provided by North York Branson Hospital, which will seriously jeopardize medical care and the quality of health for the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening conditions,

"We petition the Legislative Assembly of Ontario to reject the recommendation contained within the final report of the Metropolitan Toronto District Health Council hospital restructuring committee as it pertains to North York Branson Hospital so that it retains, at minimum, emergency and inpatient services."

I've affixed my signature.

NON-PROFIT HOUSING

Ms Marilyn Churley (Riverdale): I have another petition from tenants of Woodgreen Community Housing on Queen Street. It reads, in both English and Chinese:

"We, the undersigned, tenants of Woodgreen Community Housing, 1070 Queen Street East, a community of seniors and disabled adults, are concerned that:

"(1) Our homes will be lost because of the government's cuts to non-profit housing projects which will undermine their financial viability; and

"(2) Low-income families and the most vulnerable in our communities will suffer devastating hardship because of cuts to the numbers of needy people receiving rent-geared-to-income — RGI — assistance, and the increased rents for those currently receiving such assistance.

"We call upon you to stop these government actions that seriously jeopardize our futures and the ongoing viability of our non-profit housing communities."

I will affix my signature to this petition.

DRINKING AND DRIVING

Mr John R. Baird (Nepean): I'm pleased to present another petition, addressed to the Legislative Assembly of Ontario, which reads as follows:

"Whereas drinking and driving is the largest criminal cause of death and injury in Canada;

"Whereas every 45 minutes in Ontario a driver is involved in an alcohol-related crash;

"Whereas most alcohol-related accidents are caused by repeat offenders;

"Whereas lengthy licence suspensions for impaired driving have been shown to greatly reduce repeat offences;

"Whereas the victims of impaired drivers often pay with their lives, while only 22% of convicted impaired drivers go to jail, and even then only for an average of 21 days;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We urge the provincial government to pass legislation that will strengthen measures against impaired drivers in Ontario."

This is from people in Kinburn and Carp, Ontario, and I affix my own signature thereto.

NON-PROFIT HOUSING

Mr Richard Patten (Ottawa Centre): I have a petition from some people in my riding, and it reads:

"We, the undersigned, residents of public housing facilities in the provincial riding of Ottawa Centre, petition the Legislative Assembly of Ontario to ensure that our homes will not be privatized. We object to the government's stated intent to divest itself of public housing stock as it will imperil the wellbeing of those tenants of fixed income or of poor health.

"We respectfully seek the assurance of the Legislative Assembly and of the Honourable Al Leach, Minister of Municipal Affairs and Housing, in this most important matter. We look forward to your reply at your earliest convenience."

I affix my signature to this petition as well.

SPENDING REDUCTIONS

Ms Marilyn Churley (Riverdale): I have a citizens' petition to Premier Michael Harris. It reads:

"Whereas the cuts imposed on Ontario by Mike Harris and his cabinet target the poorest members of our province and will cause enormous harm to both the working poor and recipients of social assistance; and

"Whereas the cuts in areas of housing, social services like counselling, community centres and drop-ins, health care, education and municipal funding do not save money in the long run and will lead to high social costs and wasted potential from citizens of Ontario; and

"Whereas abandoning the moral and social responsibility of government will serve to put enormous pressure on cash-strapped municipalities, increase local taxes and will destroy the social fabric in Ontario;

"We, the undersigned, petition the Legislative Assembly to pressure the Premier and his cabinet to restore funding that has been cut to the citizens of Ontario and protect the interests of all its citizens regardless of economic status."

I will affix my signature to this petition.

DRIVER EXAMINATION CENTRE

Mr John O'Toole (Durham East): I present a petition to the Legislature of Ontario.

"Whereas the Port Hope driver testing centre is being closed and moved to Peterborough; and

"Whereas driving to Peterborough will impose hardships and inconvenience on seniors, especially in winter, and also on young drivers who must have a car and a licensed driver to accompany them.

"It will take more time. Depending on road conditions and traffic, especially in Peterborough, it will take half a day for many.

"The Port Hope Centre is always busy, serving Durham East. It takes several weeks to get an appointment in other locations. With added volume, Peterborough will be worse.

"A long-distance telephone call will cost more.

"We, the undersigned, petition the Legislature of Ontario to maintain the Port Hope driver testing centre now."

I affix my name.

LIQUOR CONTROL BOARD

Mr James J. Bradley (St Catharines): I have a petition from it looks like over 100 people in the St Catharines area to the Legislative Assembly of Ontario.

"Whereas the Progressive Conservative Party of Ontario is considering the privatization of the Liquor Control Board of Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Liquor Control Board of Ontario remain a crown corporation because we fear that the privatization of that organization will lead to increases in crime, drunk driving, alcohol abuse and its health costs as well as loss of control over availability to minors and quality of product."

I affix my signature to this petition as I'm in full agreement with it.

1510

DRIVER EXAMINATION CENTRE

Mr Doug Galt (Northumberland): I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas the Port Hope driver testing centre is being closed and moved to Peterborough; and

"Whereas driving to Peterborough will impose hardship and inconvenience on seniors, especially in winter, and also on young drivers who must have a car and a licensed driver to accompany them.

"It will take more time. Depending on road conditions and traffic, especially in Peterborough, it will take half a day for many.

"The Port Hope centre is always busy. It takes several weeks to get an appointment. With added volume, Peterborough will be worse.

"A long-distance telephone call will cost more.

"We, the undersigned, petition the Legislative Assembly as follows:

"Please keep the Port Hope driver testing centre open."

Mr Bruce Crozier (Essex South): I have a like petition in that it's addressed to the Legislative Assembly of Ontario.

"Whereas the Ontario government has a duty and responsibility to provide driver examination centres across the province;

"Whereas the Ministry of Transportation has decided to close the Leamington driver exam centre despite the fact that (1) the Leamington centre is the only exam office between Windsor and Chatham, thus forcing persons and local driver training schools to travel over 50 kilometres in order to obtain a driver exam; (2) the Leamington centre serves a population of over 35,000; (3) there already exists a six-month waiting list for driver exams in Leamington; and (4) the Ministry of Transportation of Ontario did not consult with the local community;

"Therefore be it resolved that we, the undersigned, demand that the MTO explore every option of retaining

driver examinations in the Leamington area, and that the MTO postpone the closing of the present driver examination centre site until a new solution is formulated."

This is signed by several hundred residents of Essex South and I support it with my signature.

SCARBOROUGH GENERAL HOSPITAL

Mr John O'Toole (Durham East): It's a pleasure to rise to present a petition to the Legislature of Ontario.

"Whereas the recommendations of the Metropolitan Toronto District Health Council to close inpatient paediatric beds, the special care nursery and the burn unit at Scarborough General Hospital, resulting in significantly reduced access to paediatric, newborn and burn care for a large geographic area of Scarborough; and

"Whereas the paediatric unit, special care nursery and burn unit at Scarborough General Hospital provide very cost-efficient, quality care;

"We, the undersigned, petition the Legislature of Ontario to (1) continue paediatric services including inpatient paediatric beds; (2) continue special care nursery services; (3) continue and combine Metropolitan Toronto's burn care."

I'm pleased to present this petition on behalf of Dan Newman, the member for Scarborough Centre.

TRANSITION HOUSE

Mr Pat Hoy (Essex-Kent): "To the Legislative Assembly of Ontario:

"Whereas Transition House in Chatham has provided emergency shelter to troubled or abused youth as well as support, counselling and life skills training since 1990, and, operating on a five-year budget of \$865,000, they have counselled over 400 youth and served over 20,000 meals;

"Whereas the city of Chatham and the county of Kent rely on Transition House to meet the needs of its troubled youth and there is no other facility to serve the needs of the community; and

"Whereas it has been shown that massive cuts to health services, school systems and social services have a definite impact on statistics of children and youth in crisis; and

"Whereas the government of Ontario has cut its direct funding to Transition House by almost \$48,000 annually and placed the existence of Transition House in jeopardy;

"Be it therefore resolved that we, the undersigned, urge the government of Ontario to reverse its decision to cut the funding of Transition House in Chatham and in Kent."

I affix my name to this petition.

WORKERS' COMPENSATION

Mr Michael Gravelle (Port Arthur): I have a petition to the Ontario Legislature.

"We, the undersigned, wish to advise the Ontario Legislature that we are injured workers and/or friends of injured workers.

"Further, we, the undersigned, are concerned about the potential transfer of control of the office of the worker

adviser from the Ministry of Labour to the Workers' Compensation Board and reduction of funding levels.

"Further, we, the undersigned, are concerned about the potential withdrawing of funds from the injured worker group funding program.

"Therefore, be it resolved that we, the undersigned, call upon all those who sit in the Legislature to insist that the funding for the office of the worker adviser and the injured worker group funding program be of sufficient amount to meet the needs of the clients.

"Be it further resolved that we, the undersigned, call upon the government to not remove the office of the worker adviser from the Ontario Ministry of Labour, as surely its credibility will be negatively affected if such a move were to occur."

I sign my name.

RENT REGULATION

Mr Gerard Kennedy (York South): I have a petition to present to the Legislature from signatories in Napanee, Marley Lake, Etobicoke, Markham, Maple, Windsor, Ottawa, Verner and Sault Ste Marie. These hundreds of individuals address the petition to the Ontario Legislature, to Premier Michael Harris, Minister of Municipal Affairs and Housing Al Leach and the members of the Ontario provincial Legislature.

"We, the undersigned, protest this government's actions against tenants described below. The Rent Control Act protects Ontario's 3.3 million tenants. Rent control allows for security and stability in their homes and communities. Uncontrolled rent increases leave tenants, their families and Ontario communities open to eviction, personal distress, and contribute directly to social instability. We want this government to stop any action that would allow uncontrolled rents.

"Further, this government is considering changes to the Landlord and Tenant Act favourable to landlords for easier and faster evictions. This is unacceptable to Ontario tenants and damaging to Ontario communities. This government also plans to get rid of public housing, has halted the creation of basement apartments and a new supply of affordable non-profit housing. These types of housing are necessary for low- and moderate-income tenants to obtain accommodation they can afford. The government must cease all actions that reduce the affordability and availability of these kinds of housing.

"This government has eliminated funding for the United Tenants of Ontario, five municipal tenant organizations and other important tenant services at a time when they are attacking all tenants' rights. Funding for these groups must be reinstated so that Ontario's tenants, and not just their landlords, will be able to bring their views to bear on government deliberations on tenants' rights and protection. A consultation process with tenants' organizations should be initiated immediately to develop a plan for sustainable funding for services to tenants."

I affix my name to this petition.

MANDATORY INQUESTS

Mr Rick Bartolucci (Sudbury): This is yet another petition to the honourable Solicitor General and the Legislative Assembly of Ontario.

"Whereas the Progressive Conservative government of Ontario has decided to scrap mandatory inquests as a result of fatalities in the mining and construction industry; and

"Whereas this unprecedented and callous decision sets workplace safety back 20 years;

"We, the undersigned, request that Solicitor General Bob Runciman, on behalf of all workers in the mining and construction industry, reverse his decision to remove mandatory inquests from the Coroners Act of Ontario."

Because this is so important to miners and construction workers, I affix my name to it, as I agree wholeheartedly with it.

VIDEO LOTTERY TERMINALS

Mr James J. Bradley (St Catharines): I have a petition which reads as follows:

"Since video lottery terminals will contribute to gambling addiction in Ontario and the resulting breakup of families, spousal and child abuse and crimes such as embezzlement and robbery;

"Since the introduction of video lottery terminals across Ontario will provide those addicted to gambling with widespread temptation and will attract young people to a vice which will adversely affect their lives for many years to come;

"Since the introduction of these gambling machines across our province is designed to gain revenue for the government at the expense of the poor, the vulnerable and the desperate in order that the government can cut income taxes, to the greatest benefit of those with the highest income;

"Since the placement of video lottery terminals in bars in Ontario and in permanent casinos in various locations across the province represents an escalation of gambling opportunities; and

"Since Premier Harris and Finance Minister Eves were so critical of the provincial government becoming involved in further gambling ventures and making the government more dependent on gambling revenues to maintain government operations;

"We, the undersigned, call upon Premier Harris and the government of Ontario to reconsider the announced decision to introduce the most insidious form of gambling, video lottery terminals, to restaurants and bars in the province."

I affix my signature to this petition, as I'm in agreement with its contents.

INTRODUCTION OF BILLS

CITY OF KINGSTON ACT, 1996

Mr Gerretsen moved first reading of the following bill: Bill Pr59, An Act respecting the City of Kingston.

The Speaker (Hon Allan K. McLean): Is it the pleasure of the House that the motion carry? Carried.

We have a deferred vote on third reading of Bill 31 and third reading of Bill 38. It will be a five-minute bell.

The division bells rang from 1521 to 1526.

ONTARIO COLLEGE OF TEACHERS ACT, 1995
LOI DE 1995 SUR L'ORDRE
DES ENSEIGNANTES ET DES ENSEIGNANTS
DE L'ONTARIO

Bill 31, An Act to establish the Ontario College of Teachers and to make related amendments to certain statutes / Projet de loi 31, Loi créant l'Ordre des enseignantes et des enseignants de l'Ontario et apportant des modifications connexes à certaines lois.

The Speaker (Hon Allan K. McLean): Will members take their seats, please. We're dealing with third reading of Bill 31 standing in the name of Mr Snobelen. All those in favour will please rise one at a time.

Ayes

Baird, John R.	Guzzo, Garry J.	Parker, John L.
Barrett, Toby	Hardeman, Ernie	Pettit, Trevor
Beaubien, Marcel	Harnick, Charles	Preston, Peter
Boushy, Dave	Harris, Michael D.	Rollins, E.J. Douglas
Boyd, Marion	Hastings, John	Runciman, Bob
Brown, Jim	Hudak, Tim	Sampson, Rob
Carr, Gary	Jackson, Cameron	Shea, Derwyn
Carroll, Jack	Johns, Helen	Sheehan, Frank
Clement, Tony	Johnson, Bert	Skarica, Toni
Cooke, David S.	Johnson, David	Smith, Bruce
Cunningham, Dianne	Johnson, Ron	Snobelen, John
Danford, Harry	Kells, Morley	Spina, Joseph
DeFaria, Carl	Klees, Frank	Stewart, R. Gary
Doyle, Ed	Laughren, Floyd	Stockwell, Chris
Ecker, Janet	Leach, Al	Tascona, Joseph N.
Elliott, Brenda	Marchese, Rosario	Tilson, David
Fisher, Barbara	Marland, Margaret	Tsubouchi, David H.
Flaherty, Jim	Martiniuk, Gerry	Turnbull, David
Ford, Douglas B.	Maves, Bart	Vankoughnet, Bill
Fox, Gary	Munro, Julia	Villeneuve, Noble
Galt, Doug	Mushinski, Marilyn	Wilson, Jim
Gilchrist, Steve	O'Toole, John	Witmer, Elizabeth
Grimmett, Bill	Palladini, Al	Young, Terence H.

The Speaker: All those opposed will please rise one at a time.

Nays

Bartolucci, Rick	Grandmaître, Bernard	Morin, Gilles E.
Bradley, James J.	Gravelle, Michael	Patten, Richard
Brown, Michael A.	Hoy, Pat	Phillips, Gerry
Castrilli, Annamarie	Kennedy, Gerard	Pouliot, Gilles
Colle, Mike	Kormos, Peter	Pupatello, Sandra
Crozier, Bruce	Kwinter, Monte	Ramsay, David
Curling, Alvin	Lalonde, Jean-Marc	Sergio, Mario
Duncan, Dwight	Martin, Tony	
Gerretsen, John	McGuinty, Dalton	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 69; the nays are 25.

The Speaker: I declare the motion carried.

TORONTO ISLANDS AMENDMENT ACT, 1996
LOI DE 1996 MODIFIANT LA LOI
SUR LES ÎLES DE TORONTO

Bill 38, An Act to amend the Toronto Islands Residential Community Stewardship Act, 1993 / Projet de loi 38,

Loi modifiant la Loi de 1993 sur l'administration de la zone résidentielle des îles de Toronto.

The Speaker (Hon Allan K. McLean): We are now dealing with Bill 38. Is it the consent of the House that we have a vote immediately? Unanimous consent that we have a vote immediately? Third reading of Bill 38 standing in the name of Mr Leach.

Ayes

Baird, John R.	Hardeman, Ernie	Preston, Peter
Barrett, Toby	Harnick, Charles	Rollins, E.J. Douglas
Beaubien, Marcel	Harris, Michael D.	Runciman, Bob
Boushy, Dave	Hastings, John	Sampson, Rob
Brown, Jim	Hudak, Tim	Shea, Derwyn
Carr, Gary	Jackson, Cameron	Sheehan, Frank
Carroll, Jack	Johns, Helen	Skarica, Toni
Clement, Tony	Johnson, Bert	Smith, Bruce
Cunningham, Dianne	Johnson, David	Snobelen, John
Danford, Harry	Johnson, Ron	Spina, Joseph
DeFaria, Carl	Kells, Morley	Stewart, R. Gary
Doyle, Ed	Klees, Frank	Stockwell, Chris
Ecker, Janet	Leach, Al	Tascona, Joseph N.
Elliott, Brenda	Marland, Margaret	Tilson, David
Fisher, Barbara	Martiniuk, Gerry	Tsubouchi, David H.
Flaherty, Jim	Maves, Bart	Turnbull, David
Ford, Douglas B.	Munro, Julia	Vankoughnet, Bill
Fox, Gary	Mushinski, Marilyn	Villeneuve, Noble
Galt, Doug	O'Toole, John	Wilson, Jim
Gilchrist, Steve	Palladini, Al	Witmer, Elizabeth
Grimmett, Bill	Parker, John L.	Young, Terence H.
Guzzo, Garry J.	Pettit, Trevor	

The Speaker: All those opposed will please rise, one at a time, when your name is called.

Nays

Bartolucci, Rick	Gerretsen, John	Martin, Tony
Boyd, Marion	Grandmaître, Bernard	McGuinty, Dalton
Bradley, James J.	Gravelle, Michael	Morin, Gilles E.
Brown, Michael A.	Hoy, Pat	Patten, Richard
Castrilli, Annamarie	Kennedy, Gerard	Phillips, Gerry
Colle, Mike	Kormos, Peter	Pouliot, Gilles
Cooke, David S.	Kwinter, Monte	Pupatello, Sandra
Crozier, Bruce	Lalonde, Jean-Marc	Ramsay, David
Curling, Alvin	Laughren, Floyd	Sergio, Mario
Duncan, Dwight	Marchese, Rosario	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 65; the nays are 29.

The Speaker: I declare the motion carried.

ORDERS OF THE DAY

SAFETY AND CONSUMER STATUTES
ADMINISTRATION ACT, 1996

LOI DE 1996 SUR L'APPLICATION
DE CERTAINES LOIS
TRAITANT DE SÉCURITÉ
ET DE SERVICES AUX CONSOMMATEURS

Mr Flaherty, on behalf of Mr Sterling, moved second reading of the following bill:

Bill 54, An Act to provide for the delegation of the administration of certain designated statutes to designated administrative authorities and to provide for certain limitation periods in those statutes / *Projet de loi 54, Loi prévoyant la délégation de l'application de certaines lois désignées à des organismes d'application désignés et prévoyant certains délais de prescription dans ces lois.*

Mr Jim Flaherty (Durham Centre): It is my pleasure to be here on behalf of the Minister of Consumer and Commercial Relations to put forward for second reading the Safety and Consumer Statutes Administration Act, 1996. The minister regrets that he cannot himself be present for today's debate. He has asked me to inform the House that he is meeting with government officials in Richmond, Virginia, on the very topic of self-management, specifically that of their motor vehicle dealers sector.

As members of the House will recall, this bill was introduced for first reading on Thursday, May 16, of this year. As they will also no doubt recall, this is a bill that, once enacted, will cut red tape for business and provide more effective services to the public. The act will allow the government to delegate to the private sector certain functions currently carried out by our ministry. We believe this move will enhance consumer protection and bring about the highest public safety standards.

As E.S. Savas, a leading expert on public service, said —

The Acting Speaker (Mr Gilles E. Morin): There are too many discussions taking place in the House. Order.

Mr Flaherty: As E.S. Savas, a leading expert on public service, said: "The word 'government' is from a Greek word which means to steer. The job of government is to steer, not to row, the boat." Unfortunately, it seems governments have been focused primarily on rowing.

This legislation will allow us to delegate to organizations outside of government the job of rowing their own boats. Then we as government can concentrate our efforts on steering in the right direction. The government will safeguard the public interest by retaining full responsibility for safety standards through regulations and legislation. We are certain this approach will provide better protection for the public.

As the members are aware, for some time now the consumer ministry has been exploring the possibility of giving some regulated industries the tools and responsibilities to manage their own affairs. In fact, two previous consumer ministers from the other two parties strongly advocated this type of change when they were consumer ministers. I hope my colleagues have taken note of the fact that what I am talking about here, what we have proposed, is self-management, not self-regulation or deregulation.

The purpose of this bill is to enable the government to delegate powers and duties under acts that the Ministry of Consumer and Commercial Relations currently administers to designated non-profit administrative authorities. These acts govern public safety and specific industry functions currently administered by the ministry.

The administrative authorities will be not-for-profit corporations that are separate and distinct from government or any government agency. These corporations

would each have a board of directors and a chief executive officer. The boards will include representation from such groups as industry, government, consumer groups and the general public to ensure a healthy balance of views prevails.

This bill also gives the government the power to appoint one or more board members up to a minority number. All board members, under corporate law, will have an obligation to fulfil the organization's public interest mandate.

The act will allow corporations such as I've described to be set up to assume responsibilities over the following groups: real estate brokers and salespeople; travel retailers and wholesalers; motor vehicle dealers and salespeople; and cemetery operators.

Once we have reached self-management agreements with these sectors, they will assume responsibility for such functions as registration and accreditation of industry members, investigations of consumer and business complaints, suspension or revocation of registrations, and prosecutions of violations. These functions are currently carried out by the business division of the Ministry of Consumer and Commercial Relations.

1540

While we would be moving away from direct provision of those functions, government would continue as the watchdog, maintaining its presence in the areas of setting of standards, defining policy and monitoring industry performance and conduct.

The second major provision in the act would allow for the creation of a safety organization to administer the regulation of technical standards. The program areas affected are boilers and pressure vessels, elevating and amusement devices, hydrocarbon fuels and equipment, and last but not least, upholstered and stuffed articles.

Service delivery functions currently carried out by the ministry's technical standards division will be delegated to the new organization. These include participation in national and international technical standards development; licensing, registration and certification of facilities, contractors and tradespeople; reviewing engineering designs; inspections; enforcement; and training programs.

As with the other self-managed industries I've described, the consumer ministry would continue to be responsible for overall public safety standards and policy, and for monitoring the performance of the new safety organization. I can assure you that the government's safety proposals will result in inspections by a credible and independent body which will be held accountable for enforcing government safety standards.

Let me make it clear that a number of accountability mechanisms have been built into the proposed legislation and the agreements. These mechanisms will ensure that the consumer ministry retains the means to address any concerns regarding an organization's performance or accountability. For instance, the organizations would be required to submit business plans and annual reports and undergo independent financial audits. The government will have the authority to revoke delegated functions should marketplace or public safety standards ever fall below an acceptable level. In other words, the safety and self-management organizations will be held accountable

by the government for the performance of their delegated functions.

I'd like to close today with one final point: In addition to the safety organization and the industry self-management corporations being self-funded and not-for-profit, they will also be fully financed by fees collected from industry. That means they will receive no financial assistance from the Ontario government, which falls in line with this government's goal of reducing its spending while at the same time providing better, more efficient service to consumers. Because these organizations are non-profit, any surplus revenues must be reinvested into updating technologies, public education campaigns and other value added programs.

All of this means that we in government will be better able to focus on results rather than technical procedures and delivery mechanisms. This fits right into our mandate and our commitment to Ontarians to do better for less.

The Acting Speaker: Questions or comments?

Mr David Tilson (Dufferin-Peel): I'd like to congratulate the member for Durham Centre for giving an excellent summary of what this bill puts forward. This is another bill that honours our commitment to reduce red tape and to provide more effective services to the government.

There is no question that we believe that many of these industries — in fact all of these industries — can do the work better than government can. They can do it more economically; they can do it better. Real estate brokers have been asking for this, and I believe they will be tougher on themselves than the government bureaucracy has been in the past.

I'm sure all members of the House will be supporting this type of legislation. The emphasis of what the member said is that we're simply transferring responsibility for administering regulations from government to industry, but we will continue to be a watchdog of what is going on with these self-regulated industries and will be ensuring that the delegated responsibilities of the various industries will be fulfilled rather than delivering them to them directly.

The public has been asking for a reduction of government, of government interference. At the same time, the public is concerned that they be protected with respect to these various industries. This legislation will do all of that. I think the more important thing is that it's going to be done at less cost to the taxpayer, that the fees charged to the various industries will pay for these industries and won't simply be put out to the general cost of the taxpayer.

I urge all members to support this legislation. It's an excellent step to not only reduce the bureaucracy but provide a more efficient and better service to the people of Ontario.

Mr James J. Bradley (St Catharines): This bill is another step towards the total emasculation of government in this province.

The government has had the role of playing watchdog on many of the situations that exist in our society, and what you're seeing now you're going to see a continuation of, that is, a decline in the number of inspections. You have people who are not going to be neutral doing

the inspections in some of these cases. I know it extends on.

I was reading the other day how the Minister of Agriculture — again in the field of protecting the consumer — is now not going to do food inspections in terms of the pesticide content of the food. I'm sure a lot of farmers in the province are going to be beside themselves over this. When it is coming in from California, for instance now with the situation with the strawberries, I'm sure a lot of farmers out there will be saying, "Aren't we lucky we have inspections here," so the public feels assured, as they should be, that the food produced in Ontario is safe to consume. As soon as you start taking that away, as soon as you start deregulating all the way down the line, you'll find out that public safety and people's health are jeopardized.

The next thing you're going to hear is that restaurants will have fewer inspections taking place. Look what Great Britain went through with the meat inspections when it started to cut back on meat inspections and started to look the other way instead of being very detailed in the inspections taking place in terms of health. That's what this is all about. As soon as you start privatizing, as soon as you start diminishing the number of inspections, the watchdog role government plays, you're going to find out that public safety and public health are jeopardized.

The Acting Speaker: Further questions or comments? If not, the member for Durham Centre, you have two minutes to reply.

Mr Flaherty: I listened with interest to the comments from the member for St Catharines, who clearly does not understand the difference between deregulation and self-management. This is self-management legislation in Bill 54. I can assure the member that the government's safety proposal will result in exactly that: inspections by a credible and independent body which will be held accountable for enforcing government safety standards.

What self-management is all about is the delegation of administration and delivery mechanisms, not the delegation of rule-making, not the delegation of safety standards. Those remain. The legislative power and the regulatory power remain with the government. The delivery mechanism is moved to the industry organizations. That's a fundamental difference between self-management and deregulation that I'm sure my friends opposite can concentrate on so that they will understand it.

Self-management is an alternative delivery system preserving public accountability. In self-management, I repeat for the edification of my friends, complete regulatory and legislative authority remains in the hands of the government. The government maintains control of public safety standards. This is fundamental to an understanding of this type of system. Indeed it is the type of system that the Liberal minister Mr Sorbara advocated when he was the Minister of Consumer and Commercial Relations and that NDP ministers of consumer and commercial relations Ms Churley and Mr Kormos also advocated.

1550

The Acting Speaker: Further debate?

Mr Bruce Crozier (Essex South): Mr Speaker, in the essence of time, I believe we have agreement that the member for York South and myself can split this time.

The Acting Speaker: Is it agreed? Agreed.

Mr Crozier: I'm pleased to participate in this debate today. When the minister made his statement originally in the House about this bill, I said at that time that I see this as a move where the government is totally abdicating its responsibility in a number of areas. But not only have I said that, I think it's helpful from time to time to quote others. I see a June 8 editorial in the *Ottawa Citizen*, and I'll quote parts of that.

Mr Rob Sampson (Mississauga West): There's a good paper.

Mr Crozier: The members across apparently indicate they don't like the *Ottawa Citizen*. I suggest that like the *Toronto Sun* and the *Toronto Star* and the *Globe and Mail* and the *Windsor Star* and the *Leamington Post and News*, they oft-times have reasonable comments to make. To suggest they're unreasonable would mean you don't like to hear both sides of the issue.

In any event, I quote several parts of that: "Take the roller-coaster ride, but not before you weigh the risks. Because like it or not, every ride on a roller-coaster or elevator in this province involves some risk. No amount of government intervention can change that."

They go on to say: "While consumer protection could have been strengthened by deliberate change, allowing the government to put more resources into selected areas while getting out of others, the Harris government's ideologically based broad-brush approach should put consumers on alert. Consumers are best served by a system that combines government protection, industry self-regulation and an ever-watchful public."

That last paragraph is difficult for the government to disagree with, because that's essentially what they say they are trying to do. But you know, when they say that, it reminds me of an oft-quoted United States public official — this government seems to like to quote them often, so I'll do that today — that is, a former President of the United States, who said, "Trust me." I think this is a case where the government is saying, "Trust me."

The people of the province did that last June, I will admit. They trusted the government because the government said, "We won't touch one penny of health care." Then we had the health minister come along and agree with \$1.5 billion in cuts. The government last year said, "Trust me, we won't cut classroom education," and then they came along and, on an annualized basis, said, "We're going to take \$1 billion out of education." They said, "Trust me, we're going to be tough on crime," and we can see what they've done to the police forces and the effect it will have on crime in the province of Ontario.

Mr Garry J. Guzzo (Ottawa-Rideau): You and Sheila Copps.

Mr Crozier: Obviously, I've touched a nerve over there.

The Acting Speaker: The member for Ottawa-Rideau.

Mr Crozier: In this case they're saying to the consumers of the province when it comes to public safety and consumer protection, "Trust me." I agree with the editorial, that the consumers in the province of Ontario should be on alert.

There are several parts of this safety and consumer act that I would like to point out that are of concern to me,

but first let me go the other way and at least give you credit for moving in a direction where I think it will be of some benefit.

The Cemeteries Act: I think that's an industry that can be self-regulatory, although even that has changed over the years. It used to be that cemeteries were locally owned, either by municipalities or people who lived in your community. Anyone who has been around lately would know that cemeteries are now being held by or owned by large international corporations. I suggest that some of the people who are going to answer to this act are probably again in that favourite place of this government — the United States of America. I suggest that you're going to have to keep an eye very closely even on cemeteries, gentlemen and ladies, because that industry has changed considerably. We're not dealing with the local cemetery owner and operator like we do in Leamington, where you can go down the street — if you have a problem with the person from whom you bought that cemetery plot, you probably know them on a first-name basis. So I suspect in fact that you probably won't have a problem. But watch out for the large international conglomerates that own cemeteries.

The Motor Vehicle Dealers Act: That industry is going to become more self-regulatory. I think we will all agree that by far the majority of automotive dealers in this province are honourable, forthright people who can be dealt with and you can be sure that you'll be dealt with fairly. So I think, provided that the rules and regulations are sufficient to allow them to also discipline those in their industry who are bad apples, that may be one that will work well.

The Real Estate and Business Brokers Act: Again I think, by and large, the real estate industry could be self-regulatory. For the most part — at least I think most of us do when we deal in real estate — we have a lawyer involved to act on our behalf. Notwithstanding the fact that the industry is now going to be more self-regulatory, I'd still suggest that individuals dealing in real estate have lawyers acting on their behalf.

The Upholstered and Stuffed Articles Act is going to become self-regulatory. I don't know whether that will still mean that I'm afraid to take the tag off the cushion, that little white tag they put on the cushion that says, "Do not remove." Until I got older and bolder, I had more pillows, I had more stuffed articles around the house that had this little white tag on them that said, "Do not remove." I hope that when they become self-regulated, they say, "You can remove the little tag after you've purchased it." Wouldn't that be better? I suggest that to them. How do you tell your children when they're growing up and you're trying to educate them properly that they can tear the tag off their teddy bear? That's difficult.

Mr Sampson: That's how you guys pick a leader. The first one to tear the tag off is the leader.

The Acting Speaker: The member for Mississauga West, order, please.

Mr Crozier: Now we get to the one I'm more concerned about, that being the Amusement Devices Act. As I quoted, anyone who rides an amusement ride from now on had better be more alert. This editorial states, "It is

difficult to imagine how the safety of amusement rides, an area where serious accidents have occurred, could best be regulated by an industry-controlled organization." It says the government actually should keep that job and should hire more inspectors. That is the area, or one of them, that I'd like to dwell on a little bit today, the Amusement Devices Act.

I can't imagine getting on a ride at a local fair — and by the way, it will be of some interest to the people in my own area when the Harrow fair is on this summer and there are amusement rides at it — I think the public is going to have to become more concerned. As a matter of fact, I'm going to officiate at the opening of the Leamington fair this Friday, and it runs from 6 o'clock on Friday night through Sunday afternoon. I welcome anybody to come to the Leamington fair and I welcome them to attend the Comber fair when it's on, and as well the Harrow fair. But I hope that prior to those fairs this summer this act has not yet gone into effect, because I would be concerned about people riding on those rides.

1600

The Boilers and Pressure Vessels Act: I'd like to share a little information with you. The ministry's technical standards division carried out the following number of inspections on pressure vessels in 1995-96: 109,000. Will the industry still feel that so many inspections should be carried out? Will we still be assured by that industry in its own regulation and through the privatization of inspectors that those vessels are safe? They're in schools; they're in office buildings; they're in hospitals. We have to be concerned about public safety in those areas, and I think there is a move to abdicate that responsibility.

This legislation will also affect the Gasoline Handling Act. I have an example in my own riding where an independent gasoline station owner, through no fault of his, bought a gas station, was involved in that partnership with a major oil company. The oil company can see the problems coming. The oil company has just decided to disfranchise itself from that business. It will still sell gasoline to the individual, but it won't be in partnership with him, because I think the oil industry in the province of Ontario can see tremendous problems coming with the way gasoline has been handled in the past. If it's been handled poorly in the past under government supervision, under direct government inspectors, what can we expect with the privatization of this in the future? I think that will be of great concern.

The Travel Industry Act: You can read in the paper practically every day where travellers are stranded in all parts of the world. Will this industry be better regulated on its own? I have grave concerns about that. Will we have travellers stranded here and there all around the world? I still have concerns about that. I can't see where there would be any great improvement when the industry itself is doing the regulation. I sincerely hope the final draft of the bill, or the final regulations that are introduced with this bill, will protect the public in that respect.

I will conclude my remarks. As I said, I wanted to draw to your attention and those in the Legislature the concerns that I have, the fact that I think this government, in the mad rush to cut red tape for business, is moving away from protecting the consumers in the province of

Ontario not only in their day-to-day purchases as far as retail items are concerned, but in safety. This government talks about these new ways of doing business as being accountable, but I don't think there is anyone in the area of public safety who could be held more accountable than the elected government of the day. I am saddened that they're going to move away from that responsibility.

In conclusion, I'd just like to give you some reaction to this bill. In response to Bill 54, Marnie McCall of the Consumers' Association of Canada said, "If companies are supervising themselves without some government role" — I take that to mean an active role — "that goes too far." Bob Kerton, the association's spokesman on regulatory issues, said that the legislation "seems to have been designed behind consumers' backs." He also said: "There's a long history of industries trying to gain self-regulation, to get control over their own markets. It's called economic capture. It lets you keep out the foreigners, raise prices and lower standards." He is concerned that inspectors who are in part answerable to the industry they are inspecting might be less aggressive about insisting on repairs of minor defects or reporting minor incidents.

So, as I said partway through this — read my lips — I think that this is a move towards abdicating the government's responsibility in consumer protection and consumer safety.

Mr Gerard Kennedy (York South): It is my pleasure to have this opportunity to address the bill put before us today. The bill, it is important for members to appreciate, has a name: An Act to provide for the delegation of the administration of certain designated statutes to designated administrative authorities and to provide for certain limitation periods in those statutes.

That title reflects very accurately the bid on the part of this government to camouflage what it's actually doing with this bill today, that instead of it being a bill about administrative arrangement, this is a bill about a government that is redefining government to mean "an entity elected by people that then proceeds to avoid responsibility." This is a government that wants to dodge even the most essential requirements of what a government should be doing on behalf of the interests of the people. One of the questions I am sure that will be there four years from now about this government is, "What the heck happened to the public interest?" The public interest will be very hard to find, as it's been rented out to various interests across the province.

The image I think that people should have on this bill is not the convoluted title but rather their own experiences: when they go this summer to the Exhibition and go on to a riding device that should be governed by the government, and instead has been given away to some other entity; when they look at the buildings in which they live and work and think about the things that they don't normally, the boiler that's down in the basement, and wonder whether it's safe; when they make burial arrangements in instances of bereavement, whether those companies they deal with will be properly supervised. When they ride an elevator every day, they will see the material difference that this act brings. When they pump gasoline, when they buy a car or a house or take a trip,

this bill will make a difference. It's to the discredit of this government that it couldn't find the time to talk to people in the public when it's affecting them in so many parts of their lives.

The minister said when he put this bill forward that this was about improvement, that this was about reducing red tape. I think it's very, very important that even in the simple manner in which this government is prepared to be accountable as it introduces this bill, people understand instead what it means. When they talk about red tape being taken away, at the moment the regulations are still there, the same regulations, so instead, this is about something different. This is about giving away the responsibility for protection of consumers to the very people whom consumers need to be protected from. What it really means is a government that has obviously submitted, because of its own lack of ideas, to the pressures from industry associations to give them what they want.

When it talks about cost control, whose cost is it controlling? Where is the information tabled by this government about how much is collected now in fees and how much is actually the cost in terms of the regulation enforcement currently being undertaken by the engineering and standards divisions and the business affairs division that are essentially being ripped away from government for no good purpose in the public interest? There has been no compelling reason stated by this government at any time for this bill to be put forward, not one single reason why we should do this, and the dollars involved, if there are any savings, and this government has studiously avoided stating what the savings are, then those will ultimately be passed on to the consumer in a way that won't be able to track back to government, and it's very important that we see that for what it is. That is simply a government taxing by another name and giving, in this case, industry the ability to tax and giving it the powers that really should belong to government. This government will learn that taxation without representation is a dangerous thing.

These entities that are being set up, these different groups that are being touted as non-profit organizations, that will have boards of directors and that will make sure that the public interest is looked after, are anything but. They're called "independent." There is no independence to this because the majority of their boards will be the people from the industries that are regulated. This is what the government has said.

1610

The government completely abdicates, as my honourable colleague has said, its interests and the public interests in seeing that the safety and consumer protection of this province are looked after. It's extremely important that the majority goes to the industry. It's only a minority, a token number of members that can be put by this government, so the government is giving up on any semblance of government responsibility. The people who elected you didn't elect you for this kind of abdication.

People need to understand that what is happening in this legislation is another omnibus bill, but it's omnibus anti-consumer legislation. That kind of loss of public interest is happening only because this government has no

idea, no conception at all about how to fix government. I think people are starting to catch on out there that this is the theme of this government. It doesn't know how to fix government, it doesn't know what government is for, and people are starting to realize after 12 months, maybe there was only a comic-book revolution. Maybe there were no plans at all for this government to deal with the issues of the day.

When it starts giving away the responsibility for elevating devices, for real estate, when it starts giving government interest and the public interest away to used car salesmen, if that's what it really wants to seen as government, it's going to be shown for that.

Mr Chris Stockwell (Etobicoke West): What's wrong with used-car salesmen?

The Acting Speaker: Order. The member for Etobicoke West, there is a time allotted for questions and comments.

Mr Gilles Pouliot (Lake Nipigon): It's been a while, Mr Speaker. Out he goes.

The Acting Speaker: The member for Lake Nipigon, order.

Mr Kennedy: It's my pleasure to see that there's some reaction from the opposite side, because so far there has been no reaction from the government to the interests of general people out there and there needs to be. This government thinks it's been elected to be impervious to any kind of input, but there's a clear danger involved. The danger, even in the small bits of information this government has put out, has been identified, because this government talks about only maintaining consumer protection.

The average person out there knows what's happening with business: more and more concentration. As my honourable colleague mentioned in the interests of cemetery companies, there is more and more concentration taking place — the exact reason why there should be a role in the interest of fairness, in the interest of the ability of individuals to still count in this society on the part of government. That role, rather than giving up, because that's what this government is doing today — it is announcing that it is giving up —

Interjection.

The Acting Speaker: The member for Etobicoke West, you're disturbing the House. You really are. Order.

Mr Kennedy: I know it is difficult for the members on the opposite side to appreciate and understand when we say things about this legislation, because this legislation is obviously not the product of a lot of consideration by the other side. It is simply a knee-jerk reaction to pressure they've received from different types of industries that different governments, including their own in the past, have resisted for some time because it was not in the public interest.

If we look at the list of things that might be accomplished by any effort to reform consumer legislation, we notice a couple of conspicuous absences. We look at a goal to maximize public input and control regulated activity, we look at increasing the level of competence of suppliers — these are things that would be taken away in this bill, that will be subtracted — and we look at where those goals came from. Those goals were from previous

Conservative administrations that said this is what they wanted to do with deregulation, what they would ensure, and to the shame of this government it's nowhere in what's being brought forward today. Consumers have been sold out for some very narrow interests in society.

I think when this government continually defines the public interests of taxpayers, they'll start to find out that while there are many taxpayers they need to listen to out there, there are more consumers, and that everybody, when they're out there in the marketplace, expects it to be maintained in a fair and effective fashion. Instead, we have this government giving up on objectives that its previous incarnations had. I think it's important that the distinction be drawn because the public out there needs to understand and appreciate that this is a different government, that this is a government that has no real frame of reference for looking after the interests of consumers.

When Mr Grossman said in 1978 that he was looking for quality and not quantity, meaningful deregulation and not cheap tricks, he probably would have had the same thing to say, calling this a cheap trick today, because that is what it is on the part of consumers. They are not in a position to be protected with the legislation that's being brought forward.

Instead of making a complaint to government, being able to make a complaint to an uninterested third party, to one that can look after and adjudicate both for the interests of consumers and for business, we have new entities created that are majority controlled by the business. It's a clear skewing of the public interest over to the side of the narrow interest. This government, which would like to believe it has some sense of what the public wants in mind, is going to realize that kind of balance won't be appreciated in the weeks and months ahead.

If we look at what will happen in terms of limited consumer protection, the theoretical power that exists now will simply not be fulfilled. This is a compromise in every instance where consumers will go to utilize the things that used to be covered under this act. It's particularly bothersome to think that those people who are out there in the real estate market, those people who need to be able to buy a car or a house or take a trip are now really going to be subject to what's happening in the industry.

If the industry is ailing, then there's going to be an increasing amount of pressure to reduce fees, to reduce the onus of whatever regulation exists. In the future, that's exactly what we will see taking place in the interests of consumers. There is no way for the consumers' interests to be enforced. They will have only token representation on the boards which make up these administrative entities and instead will find that their concerns have been completely removed.

When we look at the much more serious instance in the sense of short-term effect on public safety, there's even greater cause for concern, because Safety Ontario or the organization that might be created from this is going to be harmonized with international regulations. We don't know, and the releases from the ministry are very careful not to say, whether that harmonization means lowering regulations. Is that what it means? This government

should tell us if it's planning to lower regulations through these devices, because there is a basic concept here of accountability, of responsibility taking, that will go missing.

When we look at boilers, when we look at elevators, when we look at the types of things that are covered by this safety organization, and gasoline, operating engineers, which are a functioning part of all kinds of activities in society, then we recognize that there is no way the public's safety interests can be maintained when the government has given away all its staff, when it has given away all its ability to function there.

We hear the assurances from the government that it will still be a watchdog. It will be a very toothless watchdog tied up somewhere in the back of the pound that will be left over when this kind of stripping of ministry takes place, because there is no assurance from the government on how this will operate. The types of means for accountability that have been mentioned, such as they are, are things like annual reports, business plans; in other words, paperwork is the only means by which this government will exercise the very important safety and consumer interests of society.

This government, which pretends to be a friend of the marketplace, is instead going to start, with this bill, to create such a well-spring of distrust among consumers that it's going to find itself harming the marketplace, because there is no theory on the marketplace that doesn't talk about the free exchange of information around the goods that are in that marketplace. Instead, what we're going to have are these arm's-length mechanisms that will act as a buffer between the government and the interests of consumers and society.

Those businesses that are today being enticed in, in their short-term interest, to look after some of these problematic parts of social interaction are going to find they've been deluded by this government, because consumer protection now has been handed over to them, and that expectation, while it would be compromised in the short term, can't be given away to industry. They will find it a very hot potato indeed after time.

The concern from this side has to do with how much damage will be done in the meantime; that we will see, indeed, consumer protection compromised in very serious ways. If you talk to the Automobile Protection Association, if you talk to the Consumers' Association of Canada, none of whom were talked to by this government — I think that the public out there has every right to believe that there will be some effort made on the part of this government, especially after its recent experiences with things like the omnibus bill, that it might have learned its lesson of arrogance, but it hasn't. It refuses to talk to the people who might help it do a better job of running the government. These organizations have not been consulted with.

There hasn't been any basis by which the public interest can trickle through. We understand that the concept of trickling through and trickling down is very important to the opposite side, but in this case it's been a lockout of the public interest. I think it's very, very important that the public will come to understand that; that their interests have been given away.

When we look at what happens in the marketplace, rather than improving the marketplace, we've set up an inevitable kind of structure that will go towards softer competition. We will see less ability and less function on the part of the marketplace because the larger players will have a larger say, and there will be more and more tilting of that marketplace towards one which will not only not benefit the consumer but will be prohibitive in its points of entry to smaller and more entrepreneurial businesses. We'll find that happening. It's a prediction we're able to make today because it's happened in other areas of deregulation.

1620

This government, as has been its wont, calls this something else, calls it self-management when it's actually deregulation. Over time, the regulations will change. They will change because the only entities that will be in a position to offer advice to the government will be these administrative bodies set up by the government, these industry places, these points of contact that the government will no longer have. Just as this side opposite is in its day-to-day activity, it is much more interested in talking to those vested interests in society than the average person on the street.

Today, at least, the average person can pick up the phone and connect with a government that's willing to take some responsibility. You're going to take that away. The only people your ministry will be listening to in future are these very entities that have been set up. There will be a skewing of advice, a funnelling of advice through these organizations, and bit by bit they will, by the nature of what they are — there is no pretence on this side of the House that the entities involved here are evil or need any kind of extra control by the government, but some basic control needs to be there for the security of the marketplace. Instead, what is being set up is an imbalanced and ill-thought-out set of deregulation. That will have an effect on the marketplace as much as it will on consumers. It will take away a tremendous amount of confidence on the part of consumers and will create animosity in the marketplace that doesn't need to exist.

When we look at the kind of standards this government is prepared to give away, when we think of the amusement devices that have had accidents in the past, where a coroner's jury has actually recommended that we need more inspection of amusement devices, where there have been problems in the past — we would perhaps show something this government may wish to know, a headline of 1974 when it brought in regulations. The most important point, which this government is prone to forget, is that all these regulations exist for the reason that self-regulation or self-management or no regulation had failed in the past. Piece by piece, in the travel industry, in real estate, these were brought about for a particular reason of the public interest.

Unfortunately, when this government side was elected — it couldn't find the public interest if it tripped over it. It has no interest in making sure the public is protected. Instead of looking at, "How can we improve on the way the government functions in a way to be more cost-effective; how can we make sure the consumer is protected?" — when you look at a ministry called

"consumer and commercial relations," which I'm sure will instead be called, shortly after this bill is enacted, "corporate relations," you really have to appreciate what direction this government is headed in.

When it had options, when it had choices about what it should do — there is a tremendous body of evidence out there that in this information age, we could be doing a better job for consumers. We don't need to be flying away from it, as government or as people charged with the public interest. Each of us elected is responsible to the people in our constituency to make sure that in responsible and reasonable ways the government is able to look after their interests. This government has subtlety that, has rented it out, in effect is giving it away, because the government will have no effective means, at least not one it's prepared to explain today as it puts forward this legislation, of ensuring that the public interest can be looked after; that annual reports and business plans and means and devices that have not been stipulated here today will be satisfactory.

This idea that somehow because it's done by government it has to be wrong is something this government — and I see a number of members opposite nodding their heads. People, when they sit down to ride those amusement devices at the Ex and are given this extra concern about what's happening, will remember that that was the reaction of the people opposite, that they will be worried about what's happening simply because the members of the opposite side could not take the time to look after the consumer interest.

When we look at the kind of things being set up, these non-profit corporations which will somehow look after and somehow maintain the interests of government, we recognize that it will be an abject failure. While there are a few successful entities, you look all across Canada and only in Alberta and only in the interests of pressure devices do you see another government that's doing this.

This government, rather than take an appropriate and responsible form of action, has decided to do this in an omnibus way, which we have to suggest from this side occurs for one reason only: Just as there's a convoluted title to this piece of legislation, so is there a convoluted piece of reasoning, and the piece of reasoning is simply to throw as much stuff at the public as possible, as quickly as possible, before it realizes what is happening. Of course, the opposite side has been responsible for so much of the alienation of government, has made that their election platform, has gone after all the flaws in society, all the exploitation it can do of the kinds of things that have people worried and concerned today, and this is a very consistent fit with that.

We see this government unable and unwilling to be accountable. It comes down to a fundamental definition of what the government should exist for. This accountability is not being strengthened at a time when it could be, because this is a time in society when there has been a concentration in business, when there have been changes taking place. We're subjecting ourselves to international forces. That's the exact time this government will learn, the exact time the consumers want to see some additional protection.

They would like to know, honourable members, that you on the opposite side have their interests at heart. They would like to know that you appreciate where they're coming from as individuals who have to be out there in the marketplace on their own. You will understand perhaps, after time and after the kind of complaints that will come forward, the kind of unfortunate accidents that may come forward if this legislation is not changed, and we certainly stand here today to encourage the government to forestall those kinds of occurrences. There will be a time when the public will understand that you do not have their interests at heart and, more important than that, that you have not tried as a government, with all of the resources at your disposal, to do that: that you have not consulted with consumer groups, that you have not given the individuals a chance in each of these areas. Rather, you have strung it together as an omnibus bill in order to hide some of the impact it's going to have on consumers in each of those ways. I think you should have learned with Bill 26 that that's not something the public appreciates. The sting of that kind of arrogance will sit around for a long time.

The measures by this government have fit a consistent and predictable pattern. Every time, in the short time I've sat in this House, that anything, whether it has to do with the Solicitor General or workfare or any other measure, is brought up in this House, the reference is made only to previous governments. This government is unwilling to stand on the merits of its own legislation. It doesn't have an ability to connect with the basic wellbeing of people out there. Twelve months have passed, and I appreciate that while many of you were on the streets of York South, you may not have had such a recent opportunity to see what some of your putative constituents would have to say about measures like this.

People want more effective government. More effective government does not mean destroying government or taking it away piece by piece.

In taking away the engineering and standards division, you're leaving it up to industry to decide how many engineers there should be, how many people there should be who have technical skills. What will industry do as a natural course of its ability to maximize its own ability to function? It will find itself in conflict. You put the industry in a conflict-of-interest position as it tries to look at those kinds of technical matters objectively when at the very same time you've put the onus on it to pay for the implementation of those measures. As it tries to pay for those measures, looking at the kind of business prospects that exist for its members, and then respond to what the technical requirements are, it will find itself in an invidious position.

For those of you who think somehow there's some magic behind the non-profit organization, as someone who ran a non-profit organization at the food bank, I understand full well that it's quite possible for a non-profit organization, despite its best interest, to still fall short of its mandate, and seriously short. For those of you on the opposite side who don't know what I'm talking about, it's the 54% increase in people using food banks over the last year and the almost doubling in the numbers of adults and doubling in the numbers of children who

still go without food despite the existence of food banks. That's the kind of situation we're talking about today, which is no ability at all on the part of the people on the side of the government to see how to make these things work. There is no magic on the part of non-profit organizations. They cannot look after the public interest for you.

So just as you remain responsible, but not taking responsibility, for hungry children in this province, you will remain responsible for these measures that you're proposing to give away to industry today. But just as you refuse to take responsibility for hungry children, you will not take responsibility for these measures in the future. I think that's something for the public to keep very much in mind, that there are no provisions built into this act, none that you're prepared to talk about today, that would make sure the government has an ability to look after these entities in a way that would make sure they do meet some standards. The regulations that exist will become paper tigers. This will be the kind of future that we would foresee for many of these groups.

We know that there are very many honourable industry associations out there. There are many honourable members in the association that would like to have input. But I am sure that very shortly after these are implemented, people involved in the industry associations, those operating businesses in these different places that are going to be deregulated, will appreciate themselves what kind of ugly fit this will be. This will be a responsibility that should be borne by elected officials, being put on to them. That point of conflict that you're setting up for them is a point of conflict where the public interest cannot be served.

This government, I think, if it does not appreciate that, should withdraw this bill. If this government does appreciate that, then I think we have instead a very strong message for the public out there, given the different choices it's had over the past 12 months, the conflicting kind of demands on government, whether to try and make government work better, to try and find ways to make it be more cost-effective, to try and find ways to meet the general interests of society.

1630

Instead, this is a government prone to anybody else's ideas, and in this case, some of the industry associations that would like to have some more of the powers, but not the concrete ideas served by previous governments, including a Conservative administration I cited before, that there has to be a public interest that is maintained by this government. That is something I think that the public out there will want to know when they look at this omnibus anti-consumer legislation and appreciate that their lives are going to change and are going to be diminished in an appreciable way as these powers are given away to industry and put into a very unhealthy situation.

These non-profit organizations will not have the resources to do the job, and if you look at the specific provisions of the legislation, they're taking out the provision that says that the government will fund the regulation of some of these industries. So if these industry associations fail, if they're unable to do their job, it

will take a significant period of time before any government reintervention occurs. The interests of consumers will have a time lag of months and years before any future government can provide for their wellbeing.

I think it's very telling that the time for prosecutions has been lengthened, because out of the very few indications this government is prepared about as it introduces and gives the legislative substance to this bill on how it really sees it working, I think we have to go on those indications, that we'll be harmonized with international regulations. We're not told whether those regulations will be superior or inferior to the ones that we have at work in Ontario today. I'd invite the opposite side to clarify that. We're not being told whether or not the entities that are created will be able to increase fees unreservedly and whether those fees will be passed on to the consumer, because essentially that's the situation that's being set up today.

In each of these instances, they go completely against the kind of objectives the government has been willing to talk about when it talks about reducing red tape, when it talks about cost control. The only cost control that can conceivably take place is to some limited degree on the government side. On the public side, in the public interest, there could be, and you've left yourself wide open for, a tremendous increase in costs. The hidden taxes that this reflects are added on to the hundreds of individual hidden taxes that you've already submitted the people of Ontario to. It will not be independent. It simply will not have an independent basis which we can — those of us on this side or those of the public out there as consumers — put our trust into.

They will see that where there used to be a government, albeit a government that has yet to show its capacity to listen or even its capacity to govern for all of the province, instead it's a group that is governed by a majority established by the very industries, the real estate industry, the motor vehicle industry, in each case run by themselves. This is something that people out there I think don't appreciate because the government has, as is its wont, not made it clear that this is a wholesale change in what people can expect as they interact in the marketplace.

There are people out there on the opposite side who talk about their concern for people, and when they talk about their concern for people, there's only one message that we can put back: that instead there needs to be a concern expressed in your actions. You can either talk about, whether it be hungry children — you can't substitute a \$1-million breakfast program when you've taken \$400 million away from the ability of their parents to feed them. And you can't talk about concern for —

Interjections.

The Acting Speaker: Order.

Mr Kennedy: Thank you, Mr Speaker. As we have regard in this bill, we want to be as much value as we can to the opposite side. We want to make sure that the opposite side, in the limited consideration it's obviously had time to give, will find in some of the remarks that we made something helpful. So we would encourage them in their deliberation to ensure that they do consult with consumer groups, that they do look at a definition of the

public interest that has for it the greatest good of the greatest number. There needs to be a concern not only for the impact that it will have in terms of the individuals, because that's been a hard message for this government to accept, but rather that they understand that they will damage the marketplace, they will create some dysfunction in society, and you on the government side have a chance to change that.

The Acting Speaker: Questions or comments? The member for Etobicoke West, you now have the floor.

Mr Stockwell: It's not often you can get up and hear a Liberal saying what the member just said, but the basic thrust of his argument is, "You fundamentally don't care about consumers; you don't care about a huge majority of Ontarians," whom he claims to represent, and that we, the government, have it in our minds to simply punish them for being Ontarians and punish them because they don't happen to be, I suppose, as fortunate as others.

Let's be clear about this. On the few items he cited when he spoke about this, he didn't know what he was talking about. The amusement park act with respect to the CNE: Do you know, the member for York South, who inspects those amusement devices at the CNE? Do you have any idea who inspects them? The city of Toronto's inspectors inspect those amusement devices. They will continue to inspect them for their safety. So leaving the impression for the general public out there that somehow you step on a ride at the CNE this summer and you don't know if this baby's going to fly off into the ozone layer is certainly irresponsible.

Secondly, with respect to your particular talk about elevating devices, that now you don't know if the elevator cable is going to snap while you're in the middle of heading downwards, well, how many elevators did they inspect under the previous administration or this one? They don't get to nearly enough. They don't get to anywhere near a significant percentage of them. Ask the ex-minister, Mr Kormos, who spent the 10 months he was in cabinet —

Mr Peter Kormos (Welland-Thorold): Ten months. You are so generous.

Mr Stockwell: Six months? He spent six months; all he did was sign elevating licences. That was it; six months signing those babies. He didn't inspect any elevating devices.

Let's be clear. The public, when we ran, said government was too intrusive; it was continually in your face. You've got to allow some discretion in the private sector. A lot of these pieces of legislation have been built up year over year. Responsible governments have to take a long, hard look at these onerous, red-tape-oriented tasks. If you're going to talk about them, I suggest, member for York South, at least get it straight.

Mr Pat Hoy (Essex-Kent): I'm pleased to comment on the opening remarks given by the members for Essex South and York South. The government is in a great mood to cut and reduce red tape, and certainly the business community would side with that. Of course, this bill talks about self-regulation and we have to look at the confidence of the consumer in that situation. The safety of people is paramount and the perception that safety exists is also one that consumers are interested in. When

one is developing its own regulations and paying for its own development and production of those regulations, it does make one wonder whether it's going to be fair, if it's truly honest.

These regulations are required not for the business people who are running an operation that everyone enjoys, that everyone wishes to take part in. Amusement park rides are one example. Those credible and hardworking people who want to make sure their businesses are used by the consuming public will always be on the right side of the regulatory question. However, there are from time to time those who are cutting corners, who may choose to do that, who may choose not to look once a day at the lines to make sure everything is running properly, and that's where these regulations were brought in in the first place. It was not to deal with the very many credible businesses and operators who are brought in under this bill, but those who try to cut corners and are maybe not the most honest in society.

I commend the members for Essex South and York South for bringing up these points.

Mr Kormos: I'm pleased to respond to the member for York South. Of course, I'm going to speak to this shortly and there's a whole lot I'm going to say about the Liberal history, record, of consumer protection, or rather the lack of it, but one can't help but respond to the member for York South by recognizing the comments of Mr Stockwell, the member for Etobicoke West, he having credited me with 10 months in the ministry. I beg to differ. It was some six months. But let me tell you, had it been 10 months, damn it, we'd have public auto insurance in this province right now and we wouldn't have had to deal with the abomination this government is imposing on us by way of another abortive attempt at trying to reform auto insurance.

1640

To suggest that somehow, as the member for York South in his commentary suggested, this government has little concern or compassion for the welfare of people in Ontario is entirely correct. I think that's very much what the member for York South was saying; I have no hesitation in interpreting his comments in that regard. That's very much the impression that folks down where I come from have, that this government has little concern about the welfare and the wellbeing of the little people — the retirees, the working people, their children, their retired parents, pensioners. This government could give a tinker's dam about the welfare of consumers. Its abdication of its responsibility in terms of consumer protection and in some very specific ways the regulation of these very specific industries confirms very much that this government could care less. This government's interested in the big guys, the rich getting richer, and it's prepared to let the poor get poorer in the process.

Mr Tilson: A few comments with respect to the remarks made by the member for Essex South and the member for York South: I listened to the members speak on their various concerns with this bill, and the way they speak it's as if this has never happened, this is something brand-new. There's no question it's been going on. Almost all of the health professions in the province of

Ontario self-regulate. The Law Society of Upper Canada regulates the legal profession in this province.

Mr Floyd Laughren (Nickel Belt): Yes, we know that. That's why we are worried. Get out the hook. Bad argument to use.

Mr Tilson: Well, it's been working quite satisfactorily for a number of years. Real estate agents are self-managed in five other provinces. Travel agents and wholesalers have been self-governing in British Columbia. This proposed legislation is based upon a similar organization in Alberta. The members should be aware this isn't something new. This has worked successfully in other provinces and we believe it's going to work successfully here.

The problem with the members is that they don't seem to get it. What they and the predecessor NDP government were saying is that they want to be all things to all people — that old expression. It certainly applies to the Liberal regime and the NDP regime. That's the problem. The people of the province spoke. They don't want all the government you're offering, particularly the member from York South. He listed all the things the government should be doing. Well, the people of this province don't want to do all these things, and the fact of the matter is that the system we're proposing is working in other provinces and other jurisdictions and is certainly going to work in this area.

One of the reasons I'm responding to this is, number one, it can be done more efficiently. Remember what your governments have done. Because of all of these things, the debt in this province has increased to over \$100 billion by now. Remember that when you're advocating more bureaucracy. More bureaucracy is not the answer.

The Acting Speaker: The member for York South, you have two minutes to reply.

Mr Kennedy: It's my pleasure to respond to the very uncertain responses from the other side. The very basic idea of consumer protection was not addressed. On the idea of Conservatives saying, "We too have a heart. We too have concern," I believe all of you have a heart, all of you are concerned, but when it comes to making legislation that is fair and balanced, your agenda has been defective and you're showing that time and time again. It is important. While you as individuals may have that capacity — and I exhort you to exercise it at every opportunity, because the public is beginning to wonder. But I don't wonder; I know that capacity is there. But instead when we look at and when people talk about cost saving and so on —

Mr Stockwell: If your agenda had worked, you would have been out of work.

The Acting Speaker: The member for Etobicoke West, you had your turn.

Mr Kennedy: — to the people who are in those elevating devices and the people who are out there, they will want to know what these arrangements are; even for the sake of convenience for the travel industry and the real estate industry. People will want to know where this government will stand, and the government will be hiding under a large pile of other committees it has set up. Rather than be effective, it's decided to do it that way.

The citations made for some of the self-management that exists before the kind of exact, precise responses that are needed here, the kind of engineers we need to sustain safety, the kinds of extra technical things we require, that is a cost and, I would submit to you, a necessary cost of a society that works on behalf of the interests of all of its members. I would exhort the other side to look again, not only to see whether they care or whether they have concern, but the bigger test is to find a way to make their concern and compassion work in government. That's not an easy task. What I suggested earlier today, I would like to reiterate, because I've heard nothing in the responses to date to change that: This government has decided to not even try, to not even try to find a way to make that work in the interests of everyone in society. I would encourage you not to give up.

The Acting Speaker: Further debate?

Mr Kormos: I want to apologize for not having been here earlier today for question period, but I had some commitments, some obligations. I did make sure I was here in time for the vote on Bill 31, because I thought it was important that I register that. In the course of that, Speaker, I'm advised, with thanks — I'm seeking consent to share the leadoff time with Mr Bisson from Cochrane South. I trust I've found consent?

Interjections: Agreed.

Mr Kormos: It's been agreed that I share that.

The Acting Speaker: Is it agreed?

Mr Kormos: As I say, I couldn't be here for question period, but I did feel it was important to be here for the vote on Bill 31, the College of Teachers proposal by this government, and I'm pleased I —

Interjections:

The Acting Speaker: Order, please. What did you propose for the House to agree to?

Mr Kormos: Speaker, that the leadoff time, this 90 minutes, which of course is the only time any member can speak for more than 30 as a result of rule changes, be shared with my colleague from Cochrane South, Mr Bisson.

The Acting Speaker: Is it agreed? Agreed.

Mr Kormos: In any event, here we are. I was glad to be here to be able to vote against Bill 31. I thought it was important that I register my opposition to that. Notwithstanding that I was compelled to miss question period, there was no way I would have missed that vote. Similarly, there's no way I would have missed the opportunity to speak to Bill 54.

I've got to tell you, I've known Mr Flaherty, the parliamentary assistant, for a good chunk of time. As a matter of fact, I've known him as a person who in an earlier life was very much an advocate for consumers here in the province of Ontario. He was involved in the fight for victims' rights in the course of the Bill 68 debate when the Liberals imposed no-fault auto insurance here in the province. That's why I find it rather peculiar. I appreciate that he's the parliamentary assistant and that means he's got to do what he's got to do if he's going to continue to collect the salary that parliamentary assistants make above and beyond their base pay — in addition to the extra staff one gets as a parliamentary assistant, of course, which means those staff can devote their time to

a whole pile of things, including riding work. I appreciate that the parliamentary assistant, Mr Flaherty, is compelled to speak to these matters.

Quite frankly, here we are with Bill 54 and we know it's going to pass. Is there any question about it? We know it's going to pass. It's virtually a given. The Tory caucus has been whipped into shape. Also, there will be a succession. They're lined up, anticipating any number of cabinet shuffles, cabinet moves, departures from cabinet, vacancies, and of course not a single member of the Tory caucus is about to miss the chance to find herself or himself in line for the car, the driver, the plush carpet, the expensive upholstery and the corporate credit card, an American Express credit card, as I understand it, that the ministry provides.

A whole lot of folks might think this is in itself a somewhat innocuous proposition. But let me tell you where I was on Saturday. I was down in Hamilton, canvassing door to door the good people of Hamilton. I was down there in Hamilton campaigning for the best candidate in that race, Wayne Marston, running for the New Democrats down in Hamilton, who I tell you is picking up support in a way nobody ever expected, while Ms Copps, who lied —

Mr Sampson: She didn't.

Mr Kormos: Well, she did. She lied. Of course I can't say that, because it might be unparliamentary. Let me tell you what did happen: Ms Copps, when she was campaigning in the last federal election, told the people of Hamilton that if she was elected she was committed to scrapping the GST.

Interjection: No.

Mr Kormos: She did.

Mr Sampson: She didn't mean that, though.

1650

Mr Kormos: Well, I'm getting to the sort of comments folks were making to me about the subject matter of Bill 54 when I was down in Hamilton on the weekend campaigning against Ms Copps who promised her constituents that if she were elected she'd scrap it. That's what I'm told she said. Now, I didn't hear her say it personally, but then again I'm from Welland-Thorold.

Now this Ms Copps becomes, among other things, the Deputy Prime Minister — talk about being tight; like this, inner circle — as well as a representative — quite right, because we're talking about consumers and the protection of consumers, and we're also talking about stuffed articles. That leads one to think of Ms Copps, irresistibly.

My friend over here was talking about the process of ripping off the tag on the stuffed articles, the one that says, "Thou shalt not," and I got to confess I was fascinated by those as a kid myself. Where I came from, we didn't have a whole lot of stuffed articles because we weren't —

Mr Sampson: That was pretty exciting.

Mr Kormos: Well, there you go. We were in Welland-Thorold. But with respect to Ms Copps, what happened is the stuffing is starting to come out.

The Acting Speaker: I've been very patient. It's Bill 54 that you have to debate on. I hope that you will debate Bill 54. Thank you.

Mr Kormos: Thank you. I appreciate the direction, Speaker, and of course we have to speak to Bill 54. I know people are watching this right now across the province, including down there in Hamilton where there's —

Mr Sampson: Where they happen to be voting.

Mr Kormos: Well, folks are watching this right now, Speaker. This debate upon Bill 54 is being heard and observed by people across the province, in North Bay, in Sault Ste Marie, in Sudbury, in Welland-Thorold, and in Hamilton where there's a by-election today and where people are having a chance to vote either for the GST or against it.

Speaking to Bill 54, let's take a look at some of the industries we're talking about. I appreciate what Mr Flaherty had to say about the fact that when Ms Churley was a minister in the Ministry of Consumer and Commercial Relations, and, yes, in the very brief period of time that I was a minister in the Ministry of Consumer and Commercial Relations, there was discussion about co-regulation with the Ontario Real Estate Association, OREA. What was being done, as I recall it — because it was some time ago now, but I remember the discussions and the eagerness of the industries to participate — in this case, the real estate industry — it was a meticulous and thoughtful process that was being embarked on.

Mind you, as I say, it's easy for me to remember it because it was such a concise, abbreviated period of my life. But the fact remains that the models that were being considered were meticulous and well-thought-out models and certainly ones where there was a consideration. You have to look at the *raison d'être*. I mean, why regulate these industries at all?

One's impressed with the fact that the government is still prepared to pay lip-service to the concept of some sort of regulation, if in fact it's regulation at all, because that remains very much to be seen, because what we're passing here is an enabling bill. The member for York South did make reference to Bill 26 more than a couple of times, referring to the omnibus bill, and the fact that the evil was not so much what was inherent in the script — oh, Speaker, must you go?

I welcome the new Speaker, and simply want to advise him that there had been consent to sharing the 90 minutes of leadoff time between me and my colleague the member for Cochrane South, Gilles Bisson. Speaker, you're not being briefed about some of the earlier parts of my comments; I certainly hope not. I thought one started with a fresh slate when a new Speaker came into the chamber, sort of again a *tabula rasa*, one was sort of restored to the batter's position so you could start out all over again. In any event we have to take a look at what we're regulating here, and why. Why would one want to regulate the travel industry? Why would one want to regulate the car sales industry? Or the real estate industry?

I appreciate there's a whole lot of good folks out there, and Tory members are going to stand up. Why, Mr Stockwell stood up in his rant and talked about the suggestion that somehow these industries were being maligned by members of the opposition. Needless to say, I'm not going to be voting for Bill 54, because it's simply bad legislation. It hasn't been well-thought-out, it hasn't been well-prepared, and it certainly hasn't at the

end of the day been the result of a consultation, not just with the industry, because I suspect Mr Flaherty or the minister could stand up and say, "Oh, yes, we met with this aspect of the industry and with another aspect of the industry," but look at the primary motive for regulation. It's not for the industry's sake, it's for the consumer's sake. The consumers weren't consulted.

The people of Hamilton are being consulted today on whether they want to vote for the GST or against it. If they're going to vote against the GST, they're going to vote for Wayne Marston, the New Democratic Party candidate. If they want to vote for the GST, they can vote for Ms Copps. But it remains that folks weren't consulted during the course of the preparation of Bill 54.

My concern is, this being enabling and a whole lot of regulation is going to flow from this — look, I understand previous governments did things that way too, that that's the way they did business. Heck, the last government did, the government before that did, and it was no more acceptable then than it is now, that you run pieces of legislation like this, which in themselves are but skeletons to be fleshed out in the secrecy of the back room and passed by way of regulations which never hit the floor of the House, which never undergo debate or scrutiny — undergo some regard in a regulations committee which is sort of the bottom of the pecking order when it comes to being appointed to committees, but don't receive any public scrutiny.

The fact is, there's a whole lot of good real estate agents out there — I know some of them — no two ways about it. Helen Brown Real Estate down in Welland is not the only one, but an outstanding brokerage who services her clients well and is as trustworthy as they come. She and a whole lot of other real estate agents and brokers in the Welland community have that reputation, well-earned, well-deserved.

Motor vehicle dealers: Heck, there is a whole pile of motor vehicle dealers down in Welland-Thorold I've had personal experience with, have bought, over the course of the last 25 years or so, one or two vehicles, and again as trustworthy as they come. Travel agents, once again, needless to say. But understand that these people among other things are dealing with the largest single purchases consumers make in their lifetimes. Obviously, the first largest purchase is a home and in the case of most people, if they're blessed with a job — decreasingly so because of this government and its failure to provide the jobs it promised during the course of its election campaign. This government promised 725,000 new jobs. Where are they? Here we are a year into it.

Look what happened to Ms Copps when she broke her promise down in Hamilton. When she promised to scrap the GST and then did exactly the opposite, she found herself battling to preserve her political career, and found Wayne Marston down in Hamilton nipping at her heels, ready, and folks down there are going to teach Ms Copps a lesson by voting for Wayne Marston because he's the candidate for whom people are going to be voting if they're going to teach politicians like Ms Copps a lesson about saying one thing in an election campaign and keeping their word.

We've got industries here that consumers entrust themselves to, that consumers rely on to be dealt with in a fair and conscionable and trustworthy manner. We also have industries here which hold large amounts of moneys in trust. Mr Flaherty is a lawyer, and I don't hold it against him, and practising the type of law that I believe he practised, if I recall, understands the role of trust involved, for instance, in the case of the real estate industry. There's a high level of integrity that's demanded from actors in that industry, from participants in that industry, just as there is or certainly should be in the motor vehicle industry and in the travel agency industry. These are people upon whom consumers, regular folks, rely for some lifetime decisions or assistance in the course of making those lifetime decisions.

1700

Why, there was a suggestion that of course the law society is self-regulatory. Mr Flaherty knows full well that the law society, notwithstanding that it's self-regulatory, still has to deal with a whole lot of occasions wherein lawyers end up pocketing the money or misappropriating it or sending it to places where it doesn't belong. Notwithstanding that they're lawyers and that they're licensed and that they're ticketed, the public still requires levels of protection from even that profession.

We're also looking here at a course of privatization, very much a part of the agenda of this government. Don't forget, it's the Tory government that wants to privatize the Liquor Control Board of Ontario: publicly owned, a public asset that made profits for Ontarians last year of \$630 million. This year, the profits that are going to be made by the publicly owned — you know I'm an advocate of public ownership, Speaker. The profits that are going to be made by the publicly owned Liquor Control Board of Ontario are going to be in excess of last year, they're going to be up around \$680 million, and this government wants to privatize it. To what end?

This government is in its confiscation mode. It's confiscating things that belong to the people of Ontario and divesting them to the detriment of the people of Ontario, when in fact this government, as it should have when it was examining automobile insurance, should have been looking to expand public ownership here in this province by virtue of developing a public auto insurance system. Again, I indicated clearly that I'd be more than pleased to assist this government in building public auto insurance, as I think every member of this New Democratic Party caucus was, recognizing that public ownership of that is important.

The Ministry of Consumer and Commercial Relations, by virtue of basically abdicating — this is an abdication. It's saying: "Be gone with you. Real estate industry, you guys take care of it yourselves. You regulate and police yourselves." It's no longer a ministry of consumer relations and it's barely a ministry of commercial relations, because we're witnessing the abdication of responsibility for a whole pile of things. We're going to see increased privatization, I am convinced, of land registration, of commercial registration, all those things of consumer interests being protected, but abandoned by this government, abdicated. The government has no interest in it.

Here we are, travel agents, real estate agents, motor vehicle dealers, basically the supervision of them being privatized — not just being privatized, but being put into their own hands. It's the syndrome of putting Colonel Sanders in charge of the chicken coop. I think the consumers of Ontario deserve far better.

Also, let's talk about the operators in those respective businesses. I am convinced, and the people I've talked to in Welland-Thorold, the car dealers, travel agents, real estate agents and brokers, since this legislation was presented for first reading, the vast majority of them don't want to see the type of self-regulation — so-called self-regulation; in fact privatization — that's being imposed by this government. They don't want to see it, because what it does, and this has been mentioned in the course of some debate already, is diminish the role of the small player. This is very much an anti-small-business ploy. It is. It's anti-small-business, the bona fide small businesses, places like Cooper's Travel down on the south end of King Street, which is a bona fide small business where a small business person struggles along doing a great job for her clientele and employs, when she can, one or two other people, but by and large it's her herself. It's not part of a chain and it's not part of some Eaton's or The Bay. And, Lord knows, who'd want to buy anything from The Bay right now in view of the fact that they don't treat their workers well enough and workers have been forced to engage in a work stoppage?

We're talking here about an abdication of the role of consumer protection. I've been looking forward to consumer protection legislation from this minister. If the Minister of Consumer and Commercial Relations spent less time dismantling the regulatory processes that we have now, if he spent less time dismantling public assets like the Liquor Control Board of Ontario and, as we witnessed most recently, the dismantling of the Liquor Licence Board of Ontario and the Gaming Control Commission, creating a new, quasi-private agency, and not consulting, once again, with the staff of either of those two agencies —

Now, I tell you, there's a consultation going on in Hamilton today. That's where the voters of Hamilton — and I urge them to get out there and cast their ballot for Wayne Marston, who is the only candidate in that by-election in Hamilton who opposes the GST. In that by-election, a vote for Copps is a vote for the GST and it's a vote for deceit. To vote for Copps in that by-election today, right now, as Hamiltonians are doing, is to vote for somebody who says one thing to get elected and does another thing once they're in power. Politicians like that can't be tolerated. They simply can't be tolerated here in the province of Ontario. If folks in Hamilton want to register their protest right now, they'd better get out there before 8 o'clock this evening and vote for Marston, the New Democratic Party candidate, who is the only candidate who opposes the GST, and vote against Sheila Copps and let her and a whole lot of other politicians know that they expect far more.

The Deputy Speaker (Mr Bert Johnson): I would like to remind the member of the subject that we're on and the bill that we're on, and it's here in Toronto in the Legislative Assembly.

Mr Kormos: Thank you, Speaker. I appreciate it. So here we are debating Bill 54. We're going to be opposing this. Bill 54 is a pathetic abdication of the responsibilities that a Ministry of Consumer and Commercial Relations should have. It's an abandonment of consumers in the province. It denies the role of the ministry and guts a ministry that has already been under incredible attack for a good chunk of time.

A consumer protection act, one that was meaningful — and I read the one that was left there by the Liberals back after they were defeated in 1990, and it wasn't much of a piece of legislation, let me tell you. But if this Minister of Consumer and Commercial Relations spent less time privatizing the things that the public owns and more time on developing meaningful consumer protection — look, I get calls on a regular basis to my constituency office, people being ripped off left and right, with licence, again, by previous governments, yes, but by this government all the more so, because this government is gutting a ministry that has a mandate, a responsibility, to protect consumers.

Day after day after day I get calls from consumers who have been done in, whether it's fly-by-nighters, whether it's itinerant salespeople — we know they don't have to be licensed any more. The minister has proposed that: "Why bother licensing them? We can't license them all; we can't find them anyway." Well, heck, that's the same thing this government is doing with policing. This government is defunding policing to the point where it's: "Why even bother trying to catch the bad guys? We're not going to pay for police officers to do it anyway."

So I say that. I encourage people to watch Face Off tonight, which is on the CBC Newsworld program, where I'll be debating auto insurance with a Tory who has absolutely no experience whatsoever with the issue and pointing out the failures of this government to meaningfully address the issue of auto insurance. It will be with Paula Todd and Claire Hoy as hosts, and I'll be appearing on Face Off later this evening on your CBC cable channel. I urge people to view, and I urge people in Hamilton to get out there and vote: Vote for Marston, because he's the only candidate who opposes the GST.

I now cede the floor to my colleague from Cochrane South.

Mr Gilles Bisson (Cochrane South): I thank the critic of our party for consumer and commercial relations for giving me more than half of the time we have on this particular bill, Bill 54.

Just for a bit of a recap, so people do know what we're debating here today, we're debating a bill that's being brought forward by the government that basically will do a very simple thing, with fairly serious consequences, in my mind: It will say that in a number of areas that are presently regulated and administered by the provincial government through various agencies in regard to the safety of elevators, how real estate boards operate etc, those regulatory powers and administrative powers are going to be passed on to the private sector through the designations under Bill 54. Just for the record, the act is called An Act to provide for the delegation of the administration of certain designated statutes to designated administrative authorities and to provide for certain limitation periods in those statutes.

1710

I want to go through the bill section by section. I guess on the surface the government would argue that this is a good thing because it moves those darned bureaucrats out of the administrative function they have to deal with the regulations within this act and give them over to a smarter group of people in the private sector who can do it much better. The member for Etobicoke West is shaking his head, saying that's exactly what this bill is about.

Mr Kormos: I can hear him shaking his head.

Mr Bisson: I was going to say that, but I thought it would be unkind.

We need to be very clear that there is a different role and there is a different reason for how government operates versus the private sector. I think that's the crux of this act.

Interjection: The government doesn't operate.

Mr Bisson: The member says the government doesn't operate, and I would argue otherwise. The government, through its civil service and through the various ministries, has the responsibility of carrying out public policy, and in those areas where public policy is not being followed, to act within the limitations set out in any piece of legislation to make sure that public policy is carried out by the private sector or in some cases the government sector.

In the past, until 1996 in this province, by and large the delegation of authority under acts covered by the Ministry of Consumer and Commercial Relations was under not only the policy control of the minister to set policy but also the administration of those policies; how elevators are operated, how all the various regulatory powers of his ministry are operated were not only under his power when it came to policy but also when it came to administering them when it came to inspection and, in those cases where things didn't happen well, to deal against them.

The government is making it possible — not in all cases will everything be transferred to the private sector — but making it possible over a period of time to transfer much of what's presently done under the Ministry of Consumer and Commercial Relations over to the private sector.

The explanatory note sets out that the scope of the act is "delegating to designated administrative authorities certain powers and duties relating to the administration of those acts."

"The bill makes consequential amendments to a number of acts named in the schedule. In addition, it provides a limitation period for offences in certain safety statutes that is two years from the date on which the facts that gave rise to the alleged offence were discovered."

If something were to happen in regard to how a particular inspection was done — let's say the inspection for some reason was botched, to put it quite bluntly — if that was found out, you would have a limitation of up to two years to deal with it. For example, let's say there was an accident and that accident happened on an elevator — it's something that most people have seen and used and would understand — and for some reason there was an inspection done some years ago where systematically,

from that point forward, the particular fault was not found or where in some cases the private elevator inspector turned a blind eye for whatever reason and something happened. If it can be proven that that was over two years ago, you as the victim or as the survivor of the victim would not be able to bring that person to court. That's basically what it means. I think there's a bit of a problem with that.

I understand there are reasons why you want statutes of limitation on legislation, but I would argue that in cases of inspections such as these, the limitation is somewhat too short. I realize the limitation in the previous bill in some cases was not a lot longer, but the argument I would make, especially when it comes to issues of safety, is that we need to make sure the public has, as much as possible, protection under the legislation; and if something happens, if they have to go to court to remedy the situation in regard to a financial suit, that they have the ability to do so within a reasonable amount of time. I would say the statute of limitation of two years is too short and that's one of the problems I have with this bill.

Let's go into the various sections of the bill and try to deal with this fairly clearly.

Under "Designations," subsection 3(2) reads, "...the Lieutenant Governor in Council may, by regulation, designate one or more administrative authorities for the purpose of administering designated legislation." I categorically object to this — no big surprise as a member of the New Democratic Party. I don't believe that public policy should be carried out, when it comes to the administration of that public policy, by the private sector. I think government has a role in our economy, as does the private sector, and each of them has a designated role within the economy that should be complementary and not seen as being opposed to each other.

I give you as a good example the area I come from in northern Ontario. For years and years the forestry work that was being done in regard to harvesting trees and then replanting trees has been done by the private sector, but it has been done under the guise of legislation that sets out how that can be and must be done. If the private sector is to get it wrong, ministry employees have the right to inspect, and if they don't do it right, to either penalize through fine or in some cases, very serious, revoke that licence.

It would be the same thing, the analogy under this legislation we have before us today. If you don't have the ability on the part of the public sector for somebody within the government organization to inspect what the private sector is doing, to make sure they're doing a good job and they're doing things as set out in public policy in a bill such as this, you really leave it open that the private sector organization, which is there to make a buck, not there to carry out public policy, may turn a blind eye to a number of issues when it comes to safety or to public policy as it affects the public.

What we need to understand is that I hear the government, I understand the government when it says that it wants to see government made more efficient. I don't think anybody argues that. I'm part of an industry, coming from the mining sector in northern Ontario,

where in the late 1970s and early 1980s, I would argue the private sector in the mining sector was not very efficient. We used to operate mines with far more people than we do now, probably not as efficiently as we do at this point. Because of economic times, companies were forced to restructure. The unions, in this case the United Steelworkers of America, worked with their private sector employers to make changes that made the mines more efficient, allowed things to happen, in some cases made good suggestions and the companies took them into place, and in the end we were able to be all the better for it when it came to how the company was run.

There was a downside to that in regard to the loss of jobs, but the point I'm getting at is that a company is there to make a buck; that's what they're there for. They're not there to follow public policy. A private sector company is not there to say, "I care about public safety and therefore I'm going to make it my business to go out there and make sure things are done properly according to the policies set out by the Ontario government." That's not what they're there for and I don't expect them to do that, and neither should the government. That's why I wonder why we're doing this in legislation.

If you take as an analogy — I'll come to it in the bill a little bit later when we get into more detail — I use again the question of inspecting elevators. If a private sector operator can make a buck by trying to enforce public policy, how are you going to make that profitable? How can you make a buck at it? If you can't make a buck, he ain't going to do it. I just wonder how they're going to get to that. If you go back and look at the end of the legislation —

Mr David Turnbull (York Mills): Typical socialist thinking.

Mr Bisson: I hear the whip saying, "A typical socialist." Yes, I am a socialist and I take some pride in that. Far better being a socialist who cares about the people of this province than to be a Tory-Reform Party member who quite frankly is trying to make legislation fit the corporate agenda of his party and not about the questions of public safety.

I want to come back to the point of this private operator. If you go further into the bill, section 12 of the bill if I'm correct, you have to wonder how it is that a company will be able to make a dollar when it comes to the question of being able to inspect elevators, just as an example. They've got to be able to get revenue somewhere. One of the ways they're going to be able to get revenue is through section 12 of the bill. If you read the bill, it says that it gives the power to the private sector, the company that would take this over, to set and collect fees and to set administrative penalties and other costs related to the inspections.

Basically it says that the private sector entrepreneur who takes over this particular job will look at his or her bottom line and he or she will say, "I need to charge X amount of dollars for every inspection I do of elevators in Ontario, and the more inspections I do, the more money I will make, or I will set a fee so high that I have to do fewer inspections to get my profit margins up."

1720

Then it goes on to say that in the event there is an infraction of the legislation the administrative authority is supposed to be watching out for, the person can set a fee. Therein lies the issue of this bill. You have to ask yourself a question. If the business is there to make a buck, the only way they can make a buck under this legislation — this is a bit of a funny argument for me to be making as a social democrat, but try to follow me a second.

I would make more money by going out and doing more inspections, supposedly. I would think the Conservative government was more interested in trying to get its nose out of the face of business. In effect, what your legislation is going to do is that if I were a private sector entrepreneur, I would make darn sure I get out there and do the inspections that need to be done and that I set the fee high enough to make a return on the investment of my company. The point is that the people who own the buildings in the province of Ontario who need to get their elevators inspected will see an increase in fees from the inspections presently being done by the government of Ontario.

I would think one of the things the government would be interested in — I know they are, and I know I am. What you want to do is set up a cost structure that is competitive with the rest of the jurisdictions out there, number one, vis-à-vis how much it costs to get this done in Ontario versus Manitoba, Saskatchewan and other provinces. Number two is that the cost is not so onerous that it becomes a deterrent to the bottom line of the person being inspected.

What you're doing here is taking that power away from the minister and, through the agreement the designated authority would sign with the minister, Mr Sterling, they get the ability to set the fee. I don't know what the fee is at this point when it comes to elevator inspection, but I'd hazard a guess that you will see an increase in that fee for the person being inspected, as the question the private sector asks will be, "How can I make a buck at this?" One of the ways they're going to make a buck is to set a fee.

The other thing that's interesting in here is that it allows the private sector entrepreneur who takes over the job of inspecting the elevators to set administrative penalties. That's fairly interesting. What it does — follow the logic here. If I'm a private sector entrepreneur, I want to get revenue streams so my company can make money. The only way I can make revenue streams in this business is by charging people for not doing what they should be doing. The problem with that is that you're quite possibly going to end up in a situation where the private sector entrepreneur will start penalizing individuals who operate equipment, for the sake of making a buck.

I don't see that as being friendly to business. If anything, I see it as a negative step for business, not a positive one. It brings back the question of government in your face. In my view, that function is best left to the public sector, because the job of the government is not to go out and make a buck; the job of the government is to make sure that public policy is followed, and in those cases where public policy is not followed, that a penalty is levied against that individual or individual company.

The private sector, on the other hand, is going to come at this from a totally different direction. The private sector entrepreneur doing the inspection is going to say, "I can make a buck by levying a penalty, so let me make a buck." I would say it would be much more confrontational to the private sector than the government would ever be. I would say there are definitely some problems in regard to how that would work. I'm sure the government, at the end of second reading on this, will take a look at it and will try to figure out how to address this.

I want to go back in the act. Under section 7, the designated administrative authorities, subsection (2) reads, "Nothing in this act restricts a designated administrative authority from carrying out other activities in accordance with its objects."

It goes on to say, "The minister may appoint at pleasure one or more members to the board of directors of a designated administrative authority as long as the members appointed by the minister do not constitute a majority of the board."

What that basically means is that these designated authorities are going to have to have a board; the board is going to be made up of people who are from that particular company that bids; and that the minister may appoint people to the board, but public appointments will be a minority on the board.

I just say again, for the sake of public policy, as it stands now those particular boards that deal with regulations of CCR are public boards. Why? For a very good reason. It's public policy, the idea being that the government, through the minister, has the ability to appoint various industry stakeholders and the people affected by particular regulations on to the board to review issues the government has to deal with so they make sure the regulations live and breathe and follow what's happening on a day-to-day basis in regard to its power.

What we're doing is transferring the power to a delegated authority, basically a private sector company, and then we're saying we also absolve ourselves of any public responsibility when it comes to the composition of the board. I would think public policy is exactly that. Public policy is about making sure that the will of the public in the province is followed. To do that, it seems to me that the public has to be involved in some way. With government they're involved in a number of ways. They're involved by being able to get to the minister, the person in charge at the end of the day, to get to the government and their local MPP to express their concerns about issues of safety or regulation, whatever it might be. If you throw that over to the private sector, that avenue is taken away from individuals.

Now you can't complain to the minister, you can't complain to the local MPP, you can't complain to the Premier. Why? Because it's going to be a private company that does this for you. They're going to have the ability not only to inspect but to set fines and do the rest, and you will not be able to go to the minister or the ministry or to anybody else to make a complaint. You will have to deal directly with that company. When the company's sole motive is making a profit, if your concern is anything that will take away from its stated aim of making a profit, as a person aggrieved by the particu-

lar delegated authority, how are you going to be able to bring your points forward? That again is a reason we've always left those powers in the hands of the public sector, that in the end there's public accountability. Under this act, there will be no public ability to make complaint.

The other issue is that of the board. Subsection 8(4) of the act says, "The administrative authority shall provide for the payment of reasonable remuneration and expenses to the members of the board whom the minister appoints." That's fairly innocuous. It basically says this delegated authority is able to set the remuneration for the people who sit on the board.

That raises a point that I would think the Conservative members, as I am, would be somewhat concerned about. In the normal course of events, people don't get paid a lot of money to sit on boards. If you sit on the parole board of Ontario or you sit on a board such as the College — I was going to say the College of Teachers — of Nurses etc, in some cases you get a remuneration for sitting on the board, which is normally not a lot, maybe 90 bucks, 100 bucks or 120 bucks per meeting, and if you're lucky you're able to get your expenses. In most boards, and Mr Turnbull would know this, people are not paid. In terms of most of the public boards of Ontario, you serve for the honour of serving and you recoup expenses only: your meals and mileage, your airplane ticket, whatever it might cost to get to the meeting.

What we're doing under this section of the act is that we're saying we're going to allow the delegated authority to set the remuneration of the board.

Mr Turnbull: Do you mean remuneration?

Mr Bisson: Same word.

Mr Turnbull: No.

Mr Bisson: Thank you for correcting me. Remuneration.

Anyway, the point is that if we give that power to the designated authority, it means they can pay the board members whatever they want. They can pay the board members \$100 per meeting; they can pay them \$1,000 per meeting. There's really no difference. The point is that all that additional cost will be passed on to the consumer, that is, the companies that have to do business with this designated authority, or in some cases the public. It will again add to the cost.

The fees you're presently paying for inspection or the fees you would pay in the case of a penalty are dealt with from a public policy perspective and not dealt from the profit motive when it comes to government. Under this particular issue, what's going to happen is that the fee has to incorporate all the costs of the business itself, including the cost to the board as set out under subsection 8(4), which means that if the board gets paid a thousand bucks a day, there's nothing you can do about it, and that \$1,000 a day is going to be taken out of the pockets of every man, woman and child who has to come in contact with this particular business when it comes to payment of services. How is public interest best dealt with by doing that? What's the point? I think what the government wants to do is reduce the cost of government, not only to itself, but when it comes to points of access by the public. This act, in short, will drive up the cost we must

pay to deal with boards and different regulatory authorities that are dealt with by the Ministry of Consumer and Commercial Relations. That is what will end up happening.

1730

The second point is obviously — and I'll come to that a little bit later — that any savings that will be had in regard to the private sector taking it over will be made because it will pay its employees less money. If a public sector inspector makes \$17 or \$16 an hour, I'm sure the private sector will come nowhere near those kind of dollars to pay the inspectors. They will pay them what they can. If they can get away with 10 or 11 bucks an hour, that's what they will pay them. Who gains? Is it the public? No, the public doesn't gain because in the end you'll pay a higher fee but the employees will make less money, which means there's less purchasing power into the economy. The only one who makes any bucks at the end is the business owner, and where does that money go? But that's for another time and another debate.

Under section 9 in regard to employees, and this is an interesting one, it goes on to say, "Subject to the administrative agreement, a designated administrative authority may employ or retain the services of any qualified person, except a crown employee, to carry out any power or duty of the authority relating to the administration of designated legislation delegated to the authority...." I take it that what they mean by this is that you can't go out and hire under contract a government employee who is working, let's say, at the ministry doing X, Y or Z.

On the surface, most people would say: "I agree with that. That seems like a fairly good thing. We don't want the private sector going in and utilizing government employees to do jobs in the private sector and then those public sector employees going back to their regular jobs and making all that money." But they are being treated differently than most other employees out there in the private sector. If I'm an electrician, as an example, and I work for Royal Oak Mines and get paid \$21 an hour and work 40 hours a week, I have the right as a private sector employee to contract my services out after hours to a particular contractor who may have a contract to do inspections for a delegated authority. What would you say on the other side of the House? You'd say, "Bully, bully, that's good stuff." I agree. Most people out there are trying to make a few extra dollars, and if they have skills they want to utilize in contract to other employers after the hours of their regular job, they go ahead and do it. But you're saying you're going to treat crown employees as different.

I could understand it if you were limiting it to employees who come into contact with these acts, but if you're making the scope so wide that another government employee who may, for example, be on a short-term definite contract or who's working on a temporary basis or on a 20-hour-a-week basis, that employee can't go in and supplement his or her wages by doing work for one of these delegated authorities, you're dealing with people differently.

That brings us back to the point of the bias of this government. It seems to me whenever this government does something there's a bit of a — I wouldn't say a

twist because that's not quite the word I'm looking for, but there is certainly a bias on the part of the government that it much prefers the private sector, non-union people over unionized public sector employees, or unionized employees overall. If you read this section of the act, what you're saying is that it's a fairly far-sweeping piece of legislation when it comes to this section. It says "except crown employees." That means any employee who works for the government. I say again, if I am a maintenance person working in the building at the Ministry of Natural Resources in the city of Timmins and I work 20 hours a week as an employee of the crown maintaining buildings as an electrician and there is a contractor who sets up shop down the street, who's going to be out inspecting elevators and says, "I have a job for a 20-hour-a-week person to come in and do electrical inspections of elevators," and I'm not allowed to go to work for that employer on the basis of my being a crown employee, that is highly not fair.

If you're saying as a government, and I hope the government is listening, and I'm sure the ministry people are listening — he's nodding his head that he is listening; that's good — that you would change that particular section to read "only those employees of the crown who come in direct contact with the powers of this act," then I could understand it; that would make some sense. But to go out and to say that you're going to make this far-sweeping for every other government employee out there is unfair, because you would know part of the agenda of this government is to lay off tens of thousands of public sector employees. Those people are going to be looking for work. The government said in its negotiations with OPSEU last spring that it was going to try to ease the transition by making sure that the public sector employees had an opportunity to bid on the private sector jobs that are supposedly going to replace all these public sector jobs that are being eliminated by way of layoff. In this act you have said, "No crown employees need apply for a job in the private sector dealing with this legislation because we will not accept you and we will put out, by law, that you cannot apply."

Certainly, I'm sure that the government members in the back bench don't want to see that, but that's what your cabinet is doing, that's what Mike Harris is saying, that's what Dave Johnson is saying and that's what Norm Sterling is saying. They're saying: "The heck with them. If they're crown employees, they're not allowed to apply. They're not going to get a job there and that's all there is to it."

The only thing I can think of, either this is a gaping mistake in the legislation or, quite frankly, this is a bias against the crown employees —

Interjection.

Mr Bisson: Well, read the legislation. I'm going to go through it again. I notice a few members on the other side are saying, "What are you talking about?" It's in your legislation under section 9, and I will read it:

"9(1) Subject to the administrative agreement, a designated administrative authority may employ or retain the services of any qualified person, except a crown employee, to carry out any power or duty of the authority

relating to the administration of designated legislation delegated to the authority...."

I'm saying, if it's in regard to strictly dealing with the regulations of the act, I guess an argument could be made, but that is fairly far-sweeping when it comes to the legislation.

Interjections.

Mr Bisson: Well, read the act. I understand. You're government backbenchers. You're told as you go into your caucus meeting on Tuesday morning, "This is the legislation that's coming forward and at the appropriate times and the appropriate cue cards, applaud, say yes, yes, good stuff." But read the legislation, because you live and die by legislation as backbenchers. You're the people who have to go out and sell it at election time. I understand that you have a particular agenda in regard to favouring the private sector over the public sector, and we'll argue about that another time, but at least get it right in the legislation. That's all I'm telling you.

Here's one of the interesting parts of the act, and I understand why the government's making this. I'll try to be somewhat fair in my comments here. Under section 11, which deals with crown liabilities, it reads under subsection (3):

"(3) No action or other proceeding for damages shall be instituted against the crown for damages that a person suffers as a result of any act or omission of a person who is not an employee or agent of the crown."

Just before, under (2), it says, "Despite subsections 5(2) and (4)...subsection (1) does not relieve the crown of liability in respect of a tort committed by a crown employee to which it would otherwise be subject."

It says under (4), "Subject to the administrative agreement, a designated administrative authority shall indemnify the crown in respect of damages and costs incurred by the crown for any act or omission of the administrative authority or its members...."

In short, I think what they're getting at here — and I would look for some clarification by the ministry — is that, if you read that, what you're basically saying is that if an accident happened and it was found there was a faulty piece of equipment that should have been picked up through the inspection, the regular inspection of that equipment, as it stands now, you're able to sue the private sector employer, because as you know, most of this stuff is done by the private sector to start with. For example, the question of elevator maintenance etc is done by private sector companies. If there is a mistake done to which an injury happens and there's a lawsuit, you have the ability to sue the company that did the work. What this, I think, means is that you would not be able to sue the crown.

If that's the case, I would wonder what the other precedents of law are, because in the end it's a question of public policy. It would seem to me at one point you need to make a link between the minister's responsibility to make sure that public policy is being followed and the person at the other end who benefits or lacks benefit in regard to those regulations.

I again look at the ministry employees who are sitting in the dais over there, that it seems to me what this basically says is if there was an accident to happen, you

could sue the private sector person who has the maintenance contract but you can't sue the government for damages. I take it that's what it means, and I was right. 1740

All I'm saying is that one of the things I think we need to be careful of is that government cannot absolve itself of its responsibility entirely. In the end what you're trying to do is maintain public accountability and you're trying to maintain a certain amount of responsibility on the part of the minister and the government. I wouldn't want to see the government get off the hook altogether, because in effect what can happen is that delegated authorities do a bad job of inspection.

For example, I'm company X and I have the job of maintaining elevators at 55 Bloor Street. I do a shoddy job and for whatever reason — the delegated authority who's responsible for the inspection has a good relationship with the private sector contractor or doesn't do a very good job of inspection — something happens. You would be able to sue first the contractor, you would then be able to sue the delegated authority who did the inspection, but that's where the buck stops. You couldn't go any further.

What I'm saying is that I'm a little bit nervous about that, because if the crown is totally off the hook, it means to say that the crown is really not interested in making sure public policy is followed. It would seem to me that's the reason why we make legislation. If we draft legislation in this Legislature, it is because we as parliamentarians and you as a government want to make sure that policy is followed. So what you end up with is really a separation between government responsibility and those people who are left out there to carry it out.

I would again say to the government that I understand we don't want to be left on the hook for a whole bunch of sloppy work that's being done by a private sector inspector or by a maintenance company. I wouldn't want to see the government sued because these people have done things wrong, but I think we need to figure out some way to make a link so that if the private sector inspector is now going to have the ability to do this under your legislation, we have some ability to be able to control him.

I know in the legislation — and I'll come to that in a second — the minister has the right to revoke an agreement with a private sector inspector if they're not doing a job, but there is some difficulty in the way that particular section reads. I will just get to that, which is section 6. Section 6 of the act deals with taking away the licence or taking away the authority of a delegated authority. That means that an inspection which is presently being carried out by the government and would now be carried out by the private sector is done by licence through the minister and through the Lieutenant Governor.

I just want to read it here. It says: "Subject to subsections (2) and (3), on giving the notice that the Lieutenant Governor in Council considers reasonable in the circumstances, the Lieutenant Governor in Council may, by regulation, revoke the designation of legislation for which the administration is delegated to a designated administrative authority or revoke the designation...."

That makes some sense. You want to have that ability we talked about a little while ago, that if the private sector employer doesn't do a good job of carrying out the inspection, the minister has some ability, through the Lieutenant Governor in Council, to be able to revoke that licence. That I support. I haven't got a problem with that. That makes some sense. I guess that's how you link back the whole issue of accountability.

But then it goes on to set out the conditions under which you can do that as a minister. It says "if, (a) the administrative authority has failed to comply with this act" — in other words, if the private sector inspector doesn't live up to the act, the minister has the ability to withdraw the licence, which is good — or "(b) the Lieutenant Governor in Council considers it advisable to do so in the public interest." That again is good. That is not a problem.

But here's where it gets a little bit loose. It says:

"(2) If a designated administrative authority to which the administration of designated legislation is delegated fails to comply with this act, the designated legislation or the administrative agreement, the minister shall," — and this is where it gets interesting —

"(a) allow the administrative authority the opportunity of remedying its failure within the time period that the minister considers reasonable in the circumstances; and

"(b) advise the Lieutenant Governor in Council whether or not the administrative authority remedies its failure within the time period that the minister specifies."

The situation is — well, it's under the act. You might look a little bit bewildered, but that's why I read that. I didn't make it up. It's in the Conservative government's legislation as set out by Mr Sterling. What this basically says is, "I'm the minister of the crown and there has been a shoddy inspection and there has been a public inquest by the coroner in regard to fatalities."

You're the minister over there. Let's say the government, Mr Harris, for some reason decides to make Mr Ford the Minister of Consumer and Commercial Relations — it could happen; stranger things have happened, I understand — and you say: "My God, look what's happened. These guys did a shoddy job, they were not good inspectors and they were not operating within the scope of public interest as set out in the act. I want to revoke their licence." It would be fairly difficult to do, because the act says you have to give them the ability to remedy the situation. The case would be made, as you as the minister try to revoke the licence because they've done shoddy work, "I've got me a high-priced lawyer because I'm the private sector employer who's doing this now, and I'm going to take you to court because you didn't give me the ability to remedy the situation." You as the minister, Mr Ford, if you were the minister, would not have the ability to withdraw the act. At which point are you going to be able to?

You say, "Okay, a tragedy has happened." You shake your head, but that's what the legislation reads, my friend. Read it. It says the only way the minister can revoke the legislation is under clause (a), "...allow the administrative authority the opportunity of remedying its failure within the time period that the minister considers reasonable in the circumstance." That means that if a

tragedy were to happen, which does even under the best of circumstances, and the minister of the crown responsible for licensing and for fees under this legislation were to say, "I want to revoke their licence because they are not responsible," the private sector company that now does the inspection instead of the government would say: "Like heck you are. Clause 6(2)(a) of the act tells me you can't and tells me you have to give me the authority to remedy the situation." The minister says: "Okay, you get away with it this time, but don't let it happen again. If you do, I'm going to revoke your licence."

A month or two or a year down the road another infraction happens, and you try to withdraw the person's licence and then another argument is made on the part of the person who's now got the authority under the legislation to do the inspection: "The first time that happened, it was a different issue. It wasn't quite like this one over here. You can't see them as the same. The legislation says you have to give me the ability to remedy the situation and you can't withdraw my licence."

It would take an awful lot of infractions before the minister would be able to act. The minister has the power under the current act to deal with that tout de suite, as we say, but under this legislation you're giving the private sector entrepreneur who will take over the inspections of elevators in this province the ability literally to get away with murder if an accident were to happen. That is certainly not what Derwyn Shea wants to happen and I know it's not what the Conservative backbenchers want to happen. They want to have accountability by the private sector. How can you make them accountable if you can't revoke the person's licence?

When our government did the Crown Forest Sustainability Act under the leadership of Howard Hampton, the then minister of MNR, we said in the cases of reforestation — first of all harvesting, then reforestation, seeing that the private sector is the one that does the work — we as a government will maintain the ability to inspect and we will maintain the ability to levy a fine if you don't do your job right; but ultimately, if you don't do your job we are going to have the ability, as a government and as the minister, to revoke your licence to harvest timber in this province. That's a fairly good incentive for a company to do its job right. Most large entrepreneurs in the forestry industry are going to try to do a good job; it is in their business interest to do so, but in the end the minister has the right to revoke the licence.

In this legislation you're not giving the minister the right to revoke the permit to be able to operate that business; you're giving an escape clause to the private sector that you can drive a Mack truck through at the same time as a 10-ton train, and I don't think the public interest is going to be served.

It brings me back to a point, which is, who gains under this? All the legislation we see this government bringing forward, be it under Bill 54 that we're debating here this afternoon; under Bill 26, the omnibus bill — the ominous bill as the Speaker likes to refer to it —

Interjection: Bully bill.

Mr Bisson: — the bully bill, as others would like to refer to it; under Bill 7, the labour relations legislation; under a number of other pieces of legislation, you have

to ask yourself, who benefits? Is it the individual person at home watching this debate now? No. It's a group of people who are a select few, sitting there with the bucks, the big bank accounts, the lawyers to defend themselves, all the monetary power they need to protect themselves, and to boot, now we give them the legislation to protect themselves even more.

1750

What this government is forgetting is that over a period of years, we in this province and we across this great country have put in place rules by which the private sector must operate when dealing with the public. What you're doing is saying, "We're going to give the private sector everything," and we here, the individuals, will not be protected by our government where we need to be.

That's why we have rules. With you guys, it's a question of who benefits. I would say those who benefit under a Mike Harris government are those with money, those with big money. If you're Conrad Black, who now owns most of the print media in this country, a monopoly — I thought the private sector was opposed to monopolies, I really did, but they seem to be pretty good at trying to scoop them up to control a sector of the economy. But who benefits? It'll be the Conrad Blacks. It won't be the people of Ontario. It will not be the individuals, some 9.5 million working people in this province, who benefit by this. It'll be a very few people who tend to make some money. That's the basic problem I have with this government.

Going back to section 6 of the bill, this gets quite interesting. Keep in mind that what we've done is put in an escape clause for the private sector. We've said that if the private sector inspector goofs up and does a bad job, the minister cannot revoke the licence to operate of that private sector employer without allowing them to remedy the situation, which basically means you're not able to do much if you're the minister.

It says, "The Lieutenant Governor in Council shall not revoke the designation of the administrative authority if the designated administrative authority remedies its failure within the time period that the minister specifies."

It goes on to say: "A designated administrative authority may request that the Lieutenant Governor in Council revoke" — this is the best part. Remember, you as a minister cannot revoke the licence, right? That's what happens under this legislation. But let's say a private sector entrepreneur who's the inspector goes off and does a bad job and is now being sued every Thursday morning by a new complainant for bad work being done. This act says this person can walk away from the responsibilities under the administrative agreement.

Subsection 6(4) says, "A designated administrative authority may request that the Lieutenant Governor in Council revoke its designation and in that case the Lieutenant Governor in Council shall, by regulation, revoke the designation on the terms that it considers advisable in the public interest."

It sounds pretty interesting to me. You're prepared to give that power to the private sector company itself, but you're not prepared to give that power to the minister, who is in the end the one responsible for the question of

administration of these acts. It's a bit of a double standard, I would say.

Now, the other thing is that under subsection 6(5) of the act, you say, "The Statutory Powers Procedure Act does not apply to the exercise by the Lieutenant Governor in Council of a right under this section to revoke a designation."

I just found this out a little while ago, so I won't take a whole bunch of pride in thinking I knew exactly what this meant. What it means is that the Statutory Powers Procedure Act imposes a regime, if none exists, with regard to how the rules of a hearing would go if — let's say the minister decides he wants to revoke a licence and there's going to be a hearing to deal with that. Normally, because there's no hearing process set up, you would go to the Statutory Powers Procedure Act to set up the rules of the tribunal.

This act is saying that tribunal will not be subject to the statutory procedure act. I find that somewhat interesting. I ask this of the parliamentary assistant: Where a hearing or hearing process is going to take place into a person's licence being revoked, does it mean you're going to have, under the regulations, your own rules about how this hearing will take place if you're not going to do the Statutory Powers Procedure Act?

Moving on to section 4 — I'm going the other way in this bill. I want to deal with the administrative sections of the bill first and deal with the concept of the bill at the end, because I think that's really what this is all about. I want to go to section 4, which deals with the administrative agreements.

It says, "The administrative agreement shall include all matters that the minister considers necessary for delegating the part of the administration of the designated legislation that is delegated to the administrative authority, including,..." and it goes on to set out all the terms.

What that means is that when the government hands over the control of elevating inspection to the private sector — and I only use that as an example; it may not be that particular service that ends up being transferred, but there are certainly many more that will — section 4 sets out the terms and conditions the administrative agreement must follow.

Clause (c) says the administrative authority includes "financial terms of the delegation, including licence fees, royalties, reimbursements for transfers of assets and payments to the crown."

That means that where the minister transfers the authority and the ability to inspect and set penalties etc in the agreement you're going to set out the terms for all that. I say again there will be a very strong onus on the part of the private sector entrepreneur who's taking this over to raise the fees above what they are currently in order to recoup the money on investment. The private sector business is certainly not going to do this out of the kindness of their heart; they're going to do it out of the kindness of their pocketbook. That's what you're in business for — nothing wrong with that; you should make a buck if you're in business.

But the government now sets a particular fee for inspection, sets a fee for penalties, and it is set according to public policy. Once you transfer this to the private

sector, the onus will not be public policy, the onus will be the bottom line, and if the bottom line dictates that the fees double or triple, you will be hard pressed as the minister to make an argument not to allow that to happen in the administrative agreement.

I just ask again, I wonder who's going to benefit out of that. Will it be the small individual business that is subject to this new delegated authority? I don't think so. I think the person who benefits is going to be one with the bucks who ends up taking this over as a business of their own.

It goes on to say that in the terms and conditions of the agreement of the designated authority, it will give "the right, if any, of the administrative authority to purchase, use or otherwise have access to government assets, including information, records or intellectual property."

That means that if you have a computer system tied to a particular service now being done by CCR, the private sector entrepreneur will be able to buy the computers and the software and transfer them to their site, or in some cases there may be a leased premise where the business is now taking place which the private sector entrepreneur would be able to come to an agreement with the landlord to take over.

In itself, we understand the logic. I don't agree with what the government's doing, but I understand the logic: that you want to give the ability to buy the equipment, because what's the government going to do with it after? But what bothers me a little is the question of including information. That one comes back to the whole question of what kind of information could be sold.

I remember the hue and cry from the Tory caucus during the Ataratiri issue. If you remember, minister Marilyn Churley of the NDP government was trying to come to terms way back in 1991-92 with Ataratiri in regard to the management of certain information. The government in the end decided not to go forward with that for a number of reasons, but one was that the Conservatives at that point felt it was wrong to allow the private sector to get their hands on the kind of information Ataratiri would have.

When I look at this particular clause, what you're saying is that the government is going to be able to sell information as part of the business if the person is taking over a particular responsibility when it comes to issues covered by this act. I would just say that I want to have a little assurance from the government at the committee hearings that certainly will take place on this bill that they'll specify what information we're talking about here.

I'm not accusing the government of anything at this point; I'm just saying we need to be advised of the information we're talking about here. Are we saying the government will be able to sell databases of names and addresses and telephone numbers of individual taxpayers in Ontario to private sector entrepreneurs who may want to do direct solicitation of services or goods? I certainly hope not, but I raise that as an issue and I think we need clarification. I would hope that's not what the government wants to do, and I'm sure we're going to get some clarification later, but it really could be a very big problem.

The other part of this is clause (h), which says, "a requirement that the administrative authority maintain adequate insurance against liability arising out of the administrative authority's carrying out the administration delegated to it."

That comes back to the issue I raised earlier, the reason I underlined that: a lawsuit. On the one hand, we're saying that if there were an accident and it was found shoddy maintenance was done and the company responsible for doing an inspection of the maintenance — because now it will be the private sector's responsibility — was found to be at fault, that company would have to be insured so that the individual suing has some assurance of being able to get the money back for damages in regard to the lawsuit. On the other hand, I'm really nervous about leaving the government entirely off the hook, because in the end we need to make sure it's a question of public policy being carried out and not just issues of the bottom line.

Now we'll move back to section 3, "Designations," and deal with that section as the last part of the debate. Let me go to subsection 3(2), which says, "Subject to section 4, the Lieutenant Governor in Council may, by regulation, designate one or more administrative authorities for the purpose of administering designated legislation." Subsection (4) says, "The powers to make regulations that designated legislation confers on the Lieutenant Governor in Council or the minister..."

In short, what we're getting at here is that we're saying the government has the ability to set up these designated authorities to deal with regulation.

That brings to an end the points I'm trying to make about the legislation. I've dealt with the different sections in regard to some of the concerns I have. I'm sure the government is going to listen and try to address some of the issues that were raised.

What I want to say in summing up is, be clear about what the government is doing here. The government is saying that the business that used to be carried out by the Ministry of Consumer and Commercial Relations in terms of public policy, of safety etc, that used to be done by public sector employees, is now going to be transferred holus-bolus to the private sector, and that is going to be done through this legislation.

I just say again that I have very grave concerns. When the government set out the rules for inspection of various devices, everything from pressure boilers to pressure vessels to elevating devices to gaming equipment — everywhere you find equipment that comes in contact with the public — most of that falls under an act that designates regulation to a ministry, and the ministry goes out and makes inspections of that equipment to make sure the public is safe. What we're doing under this act is transferring that power of inspection to the private sector, in effect saying the private sector will be in the business of making sure the public is kept safe.

I say to the government very directly that government and business operate on a totally different level. The government is there to carry out the public will and to protect the public; business, on the other hand, is there to make a dollar. There is a place for both in our society. There is a place for business to make a buck, but there is

also a place for government. When you start mixing the roles of government and the private sector together, I think we get into difficulty.

I guess it would be analogous to the government saying, "Government has no business being in the business of running a corporation," and I would agree with that in many cases. If the private sector's doing a good job and treating their employees fairly and they're following the rules of the land, sure, let the private sector do their thing and the government shouldn't be in there meddling with the day-to-day affairs. But what you're doing over here is that you're saying, "We're not only going to allow them to do that, but we're going to transfer the authority for the inspection of how they do that business directly to the private sector," so that you'll have the private sector monitoring the private sector, watching each other. I think there is a real danger in that, because the private sector in the end will be less concerned about public safety, there will be less concern about public interest and there will be certainly more concern about the ability to make a dollar.

I don't know about you, but when I come in contact with the various pieces of equipment and various gadgets out there that are now being inspected by the ministry to make them safe for the public, I'd feel a lot safer knowing it was a public sector employee who'd done that. Because the public sector employee's job is what? It's to make sure that the act that was debated by the members of this Legislature and the regulations set out by the minister are being followed. If we as members of the public have a problem with those regulations or with the act, we raise it with our local MPPs and eventually we get it into the House and we make the changes that need to be done. There's public accountability, and we know that the sole *raison d'être* of that civil service employee is to make sure that the will of this Legislature is carried out when it comes to the inspection.

Once you get rid of that and you say, "I'm going to transfer over all of those powers to the private sector," you've cut the public out of the process; you've now made it a business. Business does not have, and I believe should not have, the right to basically monitor itself as to how it does and carries out its business when it comes to public policy. I think that's wrong. It's a little bit like saying: "We will privatize the highways of the province. We will hand them over to the private sector and we'll let them make all the rules." I don't think the public would stand for that. The public rightfully would say, "The government is better being responsible for that kind of responsibility because we know in the end the rules that are made will not be about profit and loss; they will be directly about the safety of the public and having a good transportation infrastructure." Doing what you're doing, quite frankly, leads to much, much danger when it comes to the question of where public safety is.

I come out of the electrical industry. I worked in the mining industry as an electrician. Part of the work I did was to inspect elevating devices in the underground; they are called hoists, very complex pieces of equipment. But the point is, day to day people's lives depend on the work that you do. One of the safeguards in the system was that the Ministry of Labour had electrical inspectors

and mechanical inspectors who used to come in on a regular basis to make sure the work that I did as an electrician and the work that the mechanics did as mechanics always kept that system in safe repair. I'll tell you, Ross Connelly was the ministry inspector up in the Timmins area who used to come and check the work that I had to do; he was always there carrying out his duty as a public service employee to make sure that the men and the women who worked underground at the Pamour and McIntyre mines were kept safe. Why? Because it was a matter of public safety.

I know, and I can say without any danger, if we as a private sector company, being Royal Oak — or, at that time, Pamour — were left strictly as the only ones responsible for the maintenance of that equipment and we had not been monitored by anybody, quite frankly, the system would not have been kept up in the shape that it was. The reason the company did a good job was they knew in the end that the ministry would come in and inspect and that if they found something to be wrong, you would end up having to get it fixed.

If you move over to where you're going now, to where you're saying the private sector companies will be the ones that will make sure, there is nothing to prevent a situation where one private sector company goes to another one and says, "Listen, turn a blind eye to this particular situation." I don't think that's in the public good.

I've seen too many situations in the private sector, when I was there as an electrician, in the various employers that I had, where employers tried to put pressure on the workers to make sure that they didn't quite live up to the standards set out under policy. I wouldn't want to get into names — it wouldn't be fair to some of the employers, and maybe, if I'm looking for a job one day, they'd remember this speech — but the point is that I know as a fact, as a person who worked in the field, that the employer would come to you and say: "Listen, we're in a hurry. We want to get that piece of equipment going; just get it going." And you would argue, as a maintenance person, and say: "You can't. There's an unsafe situation here. The limits aren't working, or there is something that is unsafe." There are times when the employer would come to you and say: "I don't care. Production's more important. You get that piece of equipment going, and if you can't, I'll get somebody to take your place to do it for you." As a maintenance person, you always knew that in the end all you had to do was turn around and say to the company, "If you do that, I'm going to bring a ministry inspector in here and I will have them take a look at the situation." The company would back off because they knew that the ministry inspector employed by the crown would follow public policy, which was: "You don't do those kind of shenanigans, any employee. You make sure that in the end things are done properly."

1810

So I just say in summing up in this particular — I take it we're going to sum up? Yes. Very good. I see everybody's looking to get to the vote. I just want to say at the end of this that we were better served in a system where the private sector itself played the role they did, which is

the maintenance itself, and then were inspected by the public sector, by the government, to make sure that public policy is properly carried out.

With that, I would like to thank you, Mr Speaker, for this time in debate. I hope the government listens to some of the comments made and tries to at least make the legislation work by making sure there are better safeguards for the public in this legislation. I would hope they would back off, but I don't think the government's about to do that.

The Deputy Speaker: Questions and comments?

Mr Flaherty: I've been listening with interest to the member for Cochrane South and the member for Welland-Thorold. The member for Cochrane South says, "Read the legislation," and then we'll understand the abdication of responsibility by the government.

The key concept which my friend opposite fails to recognize is that self-management is different from self-regulation. In self-management, the government maintains and concentrates on setting standards for the industries and setting overall policies relating to public safety and consumer protection. The delegation is of administration and of delivery; that is, the government keeps control but reduces costs at the same time.

The member for Cochrane South says that government is let off the hook entirely on liability. He should, as he suggests, read the act, read subsection 11(2) with respect to tort liability of crown employees, which subsists in the act, and also read clause 12(1)(b) with respect to private entrepreneurs making money. The honourable member will see that they must do so with the process and criteria established and approved by the minister. That's in clause 12(1)(b) of the act.

Similarly, dealing with the limitation period in section 16, it has in fact been moved from six months to two years. The test is "was discovered," so that the two-year limitation period does not run until the time of the factual discovery, contrary to the indication given by the member for Cochrane South.

With respect to the NDP's policy, the New Democratic Party in June 1995, with respect to realtors, supported the principle of self-regulation for real estate brokers and said that it was prepared to introduce legislation as early as possible to delegate more responsibility to the real estate industry. The same sort of thing was said by the minister at the time, Mr Kormos, back in 1991.

Mr Crozier: I too want to take a couple of minutes to speak to this bill in its waning moments and the comments that have been made up to now. I want to reiterate what others have said before me and I think what I said at the time I was up before, that the main concern some of us have is addressing safety.

With respect to the safety administration, we know that this bill proposes the creation of a safety organization that would deliver the administrative and service functions that are currently carried out by the ministry's technical services division.

If there's anything the public wants to be assured about, again it relates to public safety when it comes to lifting devices, elevators, and when it comes to amusement rides. We're entering the season when many thousands across this province will be riding on amuse-

ment rides, and we just want to emphasize again our concern with the fact that private inspectors may not have the independence to carry out inspections the way government inspectors do and we want to urge the government to have another look at that.

Mr Len Wood (Cochrane North): I want to take an opportunity to thank the member for Cochrane South for the comments on the bill for self-regulation, and also the member for Welland-Thorold. I've listened to the 90-minute debate that has been going on, some of the comments about the by-election that is going on in Hamilton, the voting that is taking place today. It's very important that all of the NDP members get out there and support the vote against the GST across Canada.

The member for Cochrane South, as he always is, was very articulate in his comments that what we're talking about is the consumers being charged fees. This is the Conservative way of saying: "We're going to deregulate a lot of the industry, whether it be elevators, whether it be the rides that kids go on. We're going to let the industry do their own regulation."

But for the private sector to go out and do this, it's going to have to find money, so it's going to go out and pick the pockets of the owners of the elevators, of the amusement rides, of all the different services out there, because the government is saying: "We don't want to take the responsibility for regulating this any more. We're going to give it to the private sector." The private sector does not go out and operate and lose money.

We know — even the Minister of Transportation knows, as the member for Cochrane South pointed out — that it doesn't make sense to privatize the maintenance on Highway 11. This is exactly what the Conservative government is proposing — privatizing Highway 11, whether it be winter maintenance, summer maintenance, all the way from North Bay to Thunder Bay. Let the contractors go out, and if they can't make a dollar on the budget the Conservatives set, they're going bankrupt, but they want to privatize it.

Mr John L. Parker (York East): I too listened with interest to the comments from the member for Cochrane South and the member for Welland-Thorold before him. It's difficult to remember back that far, but I recall that the member for Welland-Thorold began the discussion on behalf of the third party. The comments ranged over a whole host of matters. Occasionally they touched on the act, but they also ranged on to discussion of the by-election today in Hamilton and what's on TV tonight and what have you.

I was interested that the member for Cochrane South was critical of section 19 of Bill 54, which provides for a two-year limitation period running from the time that the defect or the problem or the offence was discovered. I wouldn't have thought that this would be a matter that the third party would be critical of, if one looked at the status quo, which provides for a two-year limitation period running from the time the offence occurs, or in some cases six months. A two-year limitation period running from the time that the offence is discovered is more beneficial to the public, more beneficial to the interests of consumers, because it gives people a longer time to bring their complaints and to bring their actions.

The other comments that were made on the statute were about as reliable as the reflections on this section here, and I would say that of the other remarks I've just heard from the third party with the potential exception of the remarks made concerning what's on TV tonight, in which case I will bow to their expertise and assume they probably at least got that part right.

The Deputy Speaker: The member for Cochrane South has two minutes.

Mr Bisson: I hoped the member would be a little bit kinder. I contained my remarks strictly to the act, followed it section by section. For the member to get up and say that we were talking about issues outside of the act, if you had listened to what I had to say and if you had followed the debate, you would have noticed that I confined my comments strictly to the act.

I want to say to the member opposite with regard to his comment — I forget his riding — he says the government still holds the right to set policy and determine regulation. I agree. That's not the issue. The issue here is that you're going to say to the private sector bidder who ends up getting the job of doing the inspection, "You have now the power to enforce the act." The government can in the end make all the regulations it wants, but if it doesn't have the power to go out and enforce its own regulations, how in heck do the regulations amount to anything? That's the point.

1820

I've said fairly clearly in the debate that the government must retain the power to enforce. It's a bit like having a Minister of Environment — it's not a bit; that's what we've got now — it's like our current Minister of Environment who says we have all these wonderful laws to protect our environment. Never mind that she's weakening them; the thing she's doing that's even worse is that she's making them all self-monitoring. That means the private sector, the mining sector, the forestry sector and all of them can do what they want because in the end the government will not have the capacity to respond by way of enforcement. What's the use of having the law? That's the point.

I say to the members opposite, I hope you would have, as your goal for being a legislator in this great Legislature, at interest the public interest, not the corporate interest. It seems to me that's what you guys are all about. You see it in this act, you see it by the comments of the Minister of Environment, by the comments of the Minister of Northern Development and Mines, where we're turning over the entire power of enforcement to the private sector. Who benefits? The corporate sector. Who gets hurt? We, the people of this province. In the end, you will pay a price for that.

The Deputy Speaker: Further debate?

Mr Frank Sheehan (Lincoln): I am a past president of a self-regulating, self-managing group called the Registered Insurance Brokers of Ontario. It's known as RIBO. It is a classic response to all the concerns raised by the opposition. It is an arrangement between the government and the registered insurance brokers of Ontario to set the standards and maintain the standards and enforce policy that will protect the public interest. It is administered by a board of practitioners, professional

insurance brokers, and by public appointees appointed by the government of the day. The marching orders are agreed upon, that the public safety is to be protected.

This group sets the standards for entry, sets the standards for continuing maintenance of your licence, sets the ethical standards of performance, and it guarantees the public interest is going to be served because there is a discipline committee, and there is a complaints committee which hears complaints by the public. This body is empowered to hear evidence and to pass judgement and revoke licences, which it is suggested they are not, but they have that power and they do that. All right?

The enforcement process: Ninety-five per cent of the complaints are handled within 48 hours because they're handled expeditiously and promptly and the people who are involved in the complaint are put together immediately. Very rarely does it get beyond a six-month period and that's usually because people are asking for delays; I guess postponements is the term I'm looking for.

What protections are built into this process? Every broker and brokerage office must have an errors and omissions policy which guarantees that if he makes a mistake in his professional capacity, the public will be protected. He must also be bonded up to a \$100,000 minimum. If he takes off with trust funds, there are funds there immediately available to pay.

The organization itself has a cash fund of \$500,000 which is there to backstop a big disaster or a big defalcation. On top of that, the interest on that fund is used to buy a \$2-million backup policy which will cover additional losses. One other thing: It has a full year's budget in the bank.

In the last two years, it has reduced the charge for membership twice and it's almost back to where it was 13 years ago. All this is provided to the public at absolutely no cost to the public. It's paid for out of membership fees and out of assessments made against the members who are up on complaints and they reimburse the administration costs for investigating. This is proper and this is practical contracting out of the regulatory process.

The government sets the standards, sets them high, and then the people who are in the business, the practitioners who know, who take pride in their business, they set standards, and those standards are translated back to high levels of statutory protection. Anybody who can't take a minute to think about that and wants to get off their cant about the government abandoning its responsibilities, think about it and do some investigation, they will find that there are ample examples of excellent self-management or self-regulating of professions. I urge you to vote for this.

The Deputy Speaker: Questions and comments?

Mr Mario Sergio (Yorkview): We had agreed that we wouldn't take the two minutes.

The Deputy Speaker: Further debate?

Mr Bradley: I appreciate the opportunity to intervene, not at as much length as I would like perhaps in this debate tonight, but I did want to offer a few comments on this legislation and the general trend of the government in terms of regulation and in terms of carrying out its responsibilities.

First of all, I would like to say that everything that's in this bill isn't bad, but I know that the members of the government will be kind enough to tell us what's good about the bill, because their role and responsibility is to applaud the bill, even when they don't agree with it sometimes; if they want to advance to the cabinet, they can make generous comments about it.

To those who have spoken already, I know they, in their own hearts, believe this. My friend the member for Lincoln genuinely believes what he said today, and he gave a good example of an area where this approach has worked. I think there are some areas where it has better potential to work than others. The member has been helpful in offering that particular example. I'm not convinced that would work in every case. There are also other organizations that have the wherewithal to carry out some of this responsibility and others that I think there may be some problems arising if they were given this role.

First of all, the trend —

Mr Derwyn Shea (High Park-Swansea): Which ones, Jim?

Mr Bradley: Well, I could make a long speech if you want me to go into which ones. But I did talk to some of the people who were interested in this bill, who told me that other people in other categories wouldn't be able to do this but they could do it themselves. I was certainly prepared to believe them at the time that that was the case. But I won't betray their confidences, because they were speaking in confidence at the time.

The general role of the government is that it wants to withdraw from too many areas, in my view, because members of this government see government as evil; they see it as something that would obstruct those who wish to make money any way they want to make money without restriction. What happens, I have found in some experiences, is that good business people want the government to play a significant role because it means that they are good people, they're good corporate citizens, they live up to their role and responsibility, they meet all of the regulations in the legislation, they are prepared to invest money in equipment and in people and in training to ensure that they're being good corporate citizens, and when they see others who are not, they are highly annoyed and in many cases look to the government to bring about a situation where we have a level playing field.

I've certainly seen this in the environment. I noted over the last few years there was a program called the municipal-industrial strategy for abatement, or MISA. It was a water pollution regulation. As they saw it start to erode over the last few years, the greatest complainers — because the public at large were preoccupied with other things and the news media had completely abandoned the subject of the environment, it seemed, except for a few — the people who were complaining most loudly to government were those who had spent the money, those who had met all of their obligations and now saw that the government was starting to ease off those obligations on others.

I think it's important for government, in certain cases, to play this role. In other cases — my friend from Lincoln has made a case for his industry and he has a lot of experience and a lot of expertise in that area, and

certainly what he says in the House on that issue deserves a lot of attention, but I believe that in some cases the government is abdicating its responsibility with the introduction of this legislation, and not acting in the best interests of consumers. Public safety may in some cases be put at risk.

1830

The government is washing its hands of consumer protection in favour of commercialism without getting any input from consumers themselves. My concern is that while there has been consultation with the affected industries, there has not been widespread consultation with consumers and consumers' associations. In some cases consumers' associations are going to agree that it's better for the industry to carry out its regulations; in other words, that the government sets the standards and they carry them out. Sometimes consumers' associations will agree that's fine; in some cases they will not. I find it difficult to understand how public safety and marketplace standards will be improved by this legislation. We're always looking for that kind of improvement.

I find it interesting to see what the reaction to Bill 54 has been. Marnie McCall of the Consumers' Association of Canada has said, "If companies are supervising themselves without some government role, that goes too far." Bob Kerton, the association spokesperson on regulatory issues, said that the legislation "seems to have been designed behind consumers' backs." He also said: "There's a long history of industries trying to gain self-regulation to get control over their own markets. It's called economic capture. It lets you keep out the foreigners, raise prices and lower standards." That's the end of his direct quote. He's concerned that inspectors who are in part answerable to the industry they're inspecting might be less aggressive about insisting on repairs of minor defects or reporting minor incidents.

The industries affected by this legislation, as we would expect, are supportive, claiming that safety will be improved and it will lead to lower costs.

I look at the entire thrust of the government in this field and I become concerned. When the Minister of Northern Development and Mines stood in the House to say he was going to put Colonel Sanders in charge of the chicken pen, in other words, that he was going to put the mining industry in charge of the environmental aspects of mines instead of the Ministry of Environment, I became very concerned. While there may be very good people in the mining industry, they were in many cases reluctant to become part of the municipal-industrial strategy for abatement. Anybody who knows these old mine sites knows what a mess can be left that ultimately has to be picked up by the grateful taxpayers of the country when these horrendous cases are found and there has to be a fixing up of those sites.

Therefore, when I see the government move in that direction — I hear the Minister of Environment on many occasions say, "Well, we have to be more business oriented" — I have found in that particular case — it doesn't happen in every case — if you let them loose, they'll do exactly what they want.

The good industries, the good corporate citizens, are asking you to take some action because it's unfair to

those good people who see their competitors, because they are breaking laws, because they're not adhering to regulations, because they're not following the policies that are accepted in the province, making a greater profit than those who are doing so. In fairness to those companies I believe it's necessary for government to carry out that role. The Ministry of Environment is just being demolished at this time, in my view, and will not be able to carry out that responsibility. As a result, the polluters will end up as kings in the province. It's going to lead to problems.

I know the government side thinks that's fine because that'll let business loose, "We've got to give business a break and so on," but in the long run the taxpayers of the province, through various funds that will have to be established, will have to pay the cost of that lack of regulation by government. I think you need strong laws, strong regulations, strong policies and independent people to be able to enforce those, people who enforce them fairly and enforce them strongly, and I'm not convinced that all of the moves contemplated within this legislation called the Safety and Consumer Statutes Administration Act are positive in that direction.

Some may be. I talked to the people from the real estate industry, and the people in the real estate industry are quite strong in terms of their organizations within communities. Naturally, it is in their interest as well as the interest of the consumers to have their membership operating appropriately, and they have a lot of people who are able to carry out those responsibilities in various municipalities.

I don't know if the same is true of the travel industry. I don't know if they have associations that are as strong, as sophisticated and as capable as, for instance, the real estate industry is. I'm not putting them down to say that; I'm just saying I think it's a more diverse group that you have there and one that's not quite so powerful. We have seen in years gone by — and this is why we have the regulations. People say, "Where do we get all these regulations?" We got them because — I'll make up a name — Sunshine Co of Canada collapses. It collects all the money from people who are going on a trip somewhere, I suppose to a spot where the sun shines in the wintertime. When they go to leave on the trip, that's fine, but when they get down there they find out — guess what? The hotel wasn't paid for, the trip wasn't paid for, and they're out of luck and scrambling because the company has gone under.

I don't know whether this bill can solve that. There's been a fund that has been set up. Government regulations worked pretty well in the last few years. I know the Davis government understood that when they were in power. I was just speaking the other day to a former Deputy Premier of the province, Bob Welch, complimenting the Davis government and saying how I was pleased to see — he asked, of course, where all my compliments were when they were sitting across from me in years gone by, and I said I had forgotten on that occasion but I had recalled now how in comparison their government looked interventionist and on the side of consumers.

So I look at that area as one where I wonder if that's going to be the case. I know they'll come to the individ-

ual members when the company collapses if there's not sufficient self-regulation.

I suspect in the real estate industry that won't happen because, as I say, they have a strong organization in each community and across the province, so I suspect they would have the ability to carry out this responsibility.

I've always worried about pressure vessels. It's been one of my concerns in this province, because pressure vessels, if they are not properly inspected, can cause considerable damage and perhaps even death.

Elevating devices certainly are very important, and I always thought it was nice to have the Minister of Consumer and Commercial Relations' signature on there so that when the elevator didn't work, we would have somebody to be held accountable; in this case my good friend Norm Sterling, the member for Carleton. His name is now on there, and I felt safe and secure seeing the minister's signature on the elevator, whereas I don't know, if it's somebody who is in the business or perhaps attached to the business, if I would feel as comfortable as I would with Norm Sterling's name on the elevator.

Of course, amusement devices — I've always wondered how you define an amusement device in this province. I don't think I'll get into the detail of some of the amusement devices I think have to be regulated. But they are the ones, I suppose, at the Exhibition, where you have midways and things of that nature. I guess they're amusement devices. We've had some unfortunate accidents over the years even with government inspection, and I become concerned that if the government gets out of the business altogether, we're going to see some unfortunate accidents taking place at the various midways and fairs that we have around the province, and surely we wouldn't want to see that happen.

I don't see this as a sinister bill in that it's going to take the government out of everything, but I see it as part of the trend of this government, trying to take the government out of what I think in some cases is the legitimate role of the government. In other cases the government is moving out of certain roles where it's not necessary, and I don't think that's wrong. In other words, I don't stand over here and observe everything the government does and say, "Well, that's wrong and that's bad for the province." I like to be objective. It's difficult in this House, of course, but I like to be objective when assessing these, and I would hope the government would proceed with some considerable caution in this regard. Certainly, if this is leading further to when we get into the Ministry of Environment and Energy and further deregulation, I would be extremely concerned about that.

1840

I go back to the fact that I know it's vogue today to say, "Let's get rid of all regulations." I'll tell you something. I've talked to some people in business and they've explained some regulations that are silly and need removal. I'm glad the committee the government set up has looked at some of those and said, "Does it make sense to continue doing this because we did it in 1940, or because before we had certain electronic or computerized equipment, we had to do it?" That makes sense. I suggest

to you successive governments have done that, except they haven't had a press conference and a major announcement about it, but they have been doing it as a matter of course over the years.

I remember for years we used to debate whether we would have the Pregnant Mares Urine Testing Board. I don't think that exists any more in the province. We had a debate over that. Some of these have disappeared. Some of these regulations have fallen into the background, sometimes with necessity and virtue.

I also look at hydrocarbon fuels, something else that's been on my agenda for a long time. I worry about those.

Motor vehicle dealers: One of the areas where we have conflict between consumers and those who sell products has often been in the case of motor vehicle dealers. One of the reasons for that is obvious. Many people — probably the majority of families in our province — have a private automobile, or perhaps more than one, and have contact on an ongoing basis. If the government's going to get out of that business, I think we're going to see a lot of complaints coming to the individual offices of MPPs who will find that in this case the government may have been the best to do the regulation. I'm not suggesting the people there wouldn't try to do a good job; I'm not convinced it's as easily done by people with a vested interest as it is with the government which is, in this case, objective in its defence of consumers.

Wholesalers and cemetery operators: I wonder about cemeteries, whether they can be operated appropriately without government intervention. I know you're going to try it. The bill will pass and perhaps, in fairness to the government, we should watch to see how it works out, whether we can manage these cemeteries without the objective intervention of government.

I wish you well. I don't wish you malice in this. I wish the government well in this experiment. I express concern about the trend, the direction in which you're moving, and I express genuine concern about some aspects of this legislation. But it is not our intention, as they used to say, to filibuster this bill, to speak from now till midnight or from now till the end of the session on this particular piece of legislation, because we have other debates which will affect even more consumers and individuals and may be of greater importance than this particular piece of legislation.

Good luck with it. If it works out well, I know you'll applaud yourselves. If it doesn't work out, you can rest assured that the opposition will be kind enough to raise those matters in the Legislature at the appropriate time.

The Deputy Speaker: Questions and comments? Further debate? Does Mr Flaherty wish to wrap up?

Mr Flaherty has moved second reading of Bill 54. Is it the wish of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Mr Turnbull: I believe we have unanimous consent to defer this vote until after question period tomorrow.

The Deputy Speaker: Is it agreed then, unanimous consent to defer the vote? It is deferred.

Report continues in volume B.



CONTENTS

Monday 17 June 1996

MEMBERS' STATEMENTS

Royal Canadian Legion anniversary	
Mr Lalonde	3565
National Aboriginal Day	
Mrs Boyd	3565
Women's Institute	
Mr Barrett	3565
Forest firefighting	
Mr Gravelle	3565
Government's agenda	
Mr Bisson	3566
Mr Cordiano	3566
Doug Kennedy	
Mr DeFaria	3566
Town of Opasatika	
Mr Len Wood	3567
Michael Amann-Ewaschuk	
Mr Jim Brown	3567

STATEMENTS BY THE MINISTRY AND RESPONSES

Landfill	
Mrs Elliott	3567
Mr McGuinty	3567
Ms Churley	3568

ORAL QUESTIONS

Young offenders	
Mrs McLeod	3569, 3570
Mr Tsubouchi	3569, 3571
Mr Runciman ...	3570, 3572, 3574
Mr Silipo	3571
Mrs Boyd	3572, 3573
Mr Wildman	3575
Mr Harris	3576
Landfill	
Mr McGuinty	3573
Mrs Elliott	3573
Automobile insurance	
Mr Ford	3574
Mr Palladini	3574
Nuclear safety	
Mr Conway	3575
Mrs Elliott	3575
Education financing	
Mrs Johns	3576
Mr Snobelen	3576
Obstetrical care	
Mrs Papatello	3577
Mr Wilson	3577

MOTIONS

House sittings	
Mrs Cunningham	3577
Agreed to	3577

PETITIONS

North York Branson Hospital	
Mr Kwinter	3577
Non-profit housing	
Ms Churley	3578
Mr Patten	3578
Drinking and driving	
Mr Baird	3578
Spending reductions	
Ms Churley	3578
Driver examination centre	
Mr O'Toole	3578
Mr Galt	3579
Mr Crozier	3579
Liquor Control Board of Ontario	
Mr Bradley	3579
Scarborough General Hospital	
Mr O'Toole	3579
Transition House	
Mr Hoy	3579
Workers' compensation	
Mr Gravelle	3579
Rent regulation	
Mr Kennedy	3580
Mandatory inquests	
Mr Bartolucci	3580
Video lottery terminals	
Mr Bradley	3580

FIRST READINGS

City of Kingston Act, 1996,	
Bill Pr59, <i>Mr Gerretsen</i>	
Agreed to	3580

SECOND READINGS

Safety and Consumer Statutes	
Administration Act, 1996,	
Bill 54, <i>Mr Sterling</i>	
Mr Flaherty	3582, 3583, 3604
Mr Tilson	3583, 3591
Mr Bradley	3583, 3606
Mr Crozier	3583, 3604
Mr Kennedy	3585, 3591
Mr Stockwell	3590
Mr Hoy	3590
Mr Kormos	3591, 3592
Mr Bisson	3595, 3605
Mr Len Wood	3605
Mr Parker	3605
Mr Sheehan	3605
Vote deferred	3608

THIRD READINGS

Ontario College of Teachers Act,	
1995, Bill 31, <i>Mr Snobelen</i>	
Agreed to	3581
Toronto Islands Amendment Act,	
1996, Bill 38, <i>Mr Leach</i>	
Agreed to	3581

OTHER BUSINESS

Visitors	
The Speaker	3567
Mr Turnbull	3567

TABLE DES MATIÈRES

Lundi 17 juin 1996

DEUXIÈME LECTURE

Loi de 1996 sur l'application de	
certaines lois traitant de sécurité	
et de services aux consommateurs,	
projet de loi 54, <i>M. Sterling</i>	
Vote différé	3608

TROISIÈME LECTURE

Loi de 1995 sur l'Ordre des	
enseignantes et des enseignants	
de l'Ontario,	
projet de loi 31, <i>M. Snobelen,</i>	
Adoptée	3581
Loi de 1996 modifiant la Loi sur les	
îles de Toronto,	
projet de loi 38, <i>M. Leach</i>	
Adoptée	3581



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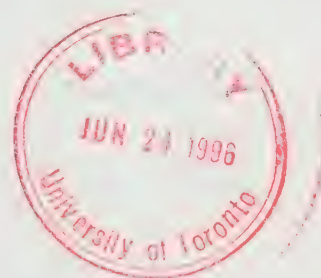
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Monday 17 June 1996

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Clerk
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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 17 June 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 17 juin 1996

Report continued from volume A.

1845

AUTOMOBILE INSURANCE RATE STABILITY ACT, 1996

LOI DE 1996 SUR LA STABILITÉ DES TAUX D'ASSURANCE-AUTOMOBILE

Resuming the adjourned debate on the motion for second reading of Bill 59, An Act to provide Ontario drivers with fair, balanced and stable automobile insurance and to make other amendments related to insurance matters / *Projet de loi 59, Loi visant à offrir une assurance-automobile équitable, équilibrée et stable aux conducteurs ontariens et à apporter d'autres modifications portant sur des questions d'assurance.*

Mr Jim Flaherty (Durham Centre): Just to complete the remarks which I began the other day, before the adjournment I was speaking about the nature of the system and the need for balance between the tort system of compensation for the victims of automobile accidents and the no-fault system. I had noted that the no-fault system was not a new concept in Ontario; it has been with us in Ontario since 1972. It is within that context of long-standing tort compensation and no-fault compensation that the government approaches the reform of the automobile compensation system, bearing in mind at all times the tension in the system between appropriate compensation, be it in tort or in the statutory accident benefits for victims of accidents, to be balanced against the control of premiums.

In the Liberal legislation in 1990, Bill 68, there was a verbal threshold that was established that prohibited persons from claiming compensation in tort, be it for pain and suffering or loss of income or any other compensation, if they did not meet the "serious and permanent" requirements of that verbal threshold law. The difficulty with that law in practice and in reality is that it took away the right to full income compensation, so that if someone was unfortunately injured through no fault of their own, or only partially through their fault, in a motor vehicle accident and they suffered loss of income, to the extent their loss of income exceeded the no-fault benefits paid and they did not cross the threshold, that meant that they were not made whole, that they did not receive their full loss of income, although this had happened to them, they were victims and it wasn't their fault.

That was considered to be an inequity, and I think most fairminded people would consider it to be a very important inequity if one is off work through the fault of another in a motor vehicle accident and doesn't have full compensation for the loss of income, which of course

affects the ability to pay one's bills, pay the rent, pay mortgages.

It got worse in 1994. With Bill 164 the former government, the New Democratic government, did something that had not been done in any modern western society; that is, it took away totally from victims of motor vehicle accidents in the province of Ontario the right to sue for economic loss. That has only been done in nationalized, state-run no-fault systems such as in the province of Quebec, and not the province of British Columbia. The member for Welland-Thorold spoke at some length the other day about the system in British Columbia. Let's be clear what that system is: That is a tort system with a single insurer, namely, the Insurance Corp of British Columbia. It is not a no-fault system. This Bill 164 system that came into force January 1, 1994, truly created a dramatic inequity, taking away the right to sue for loss of income so that a victim could not recover their loss of income in tort, regardless of threshold.

The new law, Bill 59, which has been introduced and which we debate now at second reading, accomplishes the goal of balance between tort compensation and no-fault compensation. To the extent to which an innocent victim of a motor vehicle accident has a loss of income, that loss of income, to the extent it exceeds the no-fault coverage, will be recoverable in tort without the victim having to get over some sort of artificial threshold concerning the nature of the injury. This is of fundamental importance in terms of fairness to victims of motor vehicle accidents, and reasonable-minded persons looking at this system who understand it realize that this is a fundamental equitable reform that is necessary to put the system back in balance.

The other important accomplishments of this new legislation will be to get away from huge increases in weekly income benefits which resulted in huge increases in premiums and to get away from so-called rehabilitation clinics, some of which of course did excellent work and were properly run, many of which were in business simply to be in business, without tremendous concern for whether anybody was getting rehabilitated or not rehabilitated through their services.

We had the unfortunate experiences of persons being able to profit from motor vehicle accidents because of an overly generous no-fault scheme. The system was out of balance. So for the first time in Ontario we had make-believe accidents. We had people jumping into cars after accidents happened so they could make claims for no-fault benefits from insurance companies. These cases are documented and on record at the Ontario Insurance Commission.

As I say, these things happened in the Bill 164 regime and unfortunately they continue to happen. The sooner

Bill 59 becomes law the better, because it does represent what I believe will be a successful effort, for the first time in recent years in Ontario since the Liberal government decided to toy with the system in 1987, to balance the compensation needs of victims of motor vehicle accidents in Ontario both in tort compensation and in no-fault compensation, balanced against the need of all of us in the province of Ontario, where automobile insurance is compulsory, to have a reasonable level of premiums, to have premiums controlled to a reasonable degree so that all of us can afford to purchase adequate insurance.

The Acting Speaker (Ms Marilyn Churley): Questions or comments? Further debate?

Mr Bruce Crozier (Essex South): Madam Speaker, I would ask that I get agreement that we can share my time with the member for Renfrew North.

The Acting Speaker: Agreed? Agreed.

Mr Crozier: Without question, auto insurance has been a long-debated issue in the province of Ontario. I had the opportunity this past winter to be on the committee that reviewed the government's draft legislation, and I want to say at the outset that I appreciate that the government did take this draft legislation to public hearings, because we've heard from many of the stakeholders on this issue. We were able to hear from consumers. We were able to hear anecdotal experience of claimants. We also heard from caregivers in the health care field, the rehabilitation field. We were able to hear from insurance companies and we were able to hear from the legal profession as well. So I think the issue got a good hearing this past winter in those days.

I want to say at the outset this evening what I said at the conclusion of those hearings. I thought it was one of the issues that we were able to listen to the stakeholders, debate the issues, and for the most part it was conducted in a non-partisan way. I believe all of us on those committees, with few exceptions, if any, frankly had the consumer at heart. We wanted to repair the insurance system in the province of Ontario.

Again, a lot has been said about Bill 68 when it came in, the Ontario motorist protection plan, and subsequently Bill 164, which I think at least we in the official opposition agree needed to have drastic change. This legislation, as it's being proposed, does just that.

I have to say I feel a bit vindicated, and I think we should, in that I've been told by many that this is really where Bill 68, the OMPP, the Ontario motorist protection plan, probably would have been had it been left in place and, through experience, the appropriate refinements made.

But as you know, over the last two years in particular and perhaps over the last three and four, we have seen significant increases in rates. That's really the bottom line, what the public is looking at. They're concerned that insurance rates have been escalating well beyond what anybody could reasonably expect and what they could afford. There were of course reasons for this. The benefit plan contained in Bill 164 was too generous, or more generous than it had to be for the average buying public. Therefore, the opportunity and the encouragement for fraud to enter the system was also, we are told, rampant.

What this really comes down to, I think, is that what the public wants is adequate protection, the opportunity to buy increased protection if that's necessary, and reasonable and fair rates.

When the committee reported, there were what you might call some dissenting opinions, and I want to share with you what our general concerns were with the draft legislation, and to some extent these general concerns have been addressed.

You will recall, I believe, Speaker, because you sat in on some of those hearings if I'm not mistaken, but in any event I'm sure you're aware of them, that at that time it was suggested by the industry that we would still face increases of from 8% to 10%; therefore, in the neighbourhood of from 30% to 40% over the next four or five years. That was absolutely unacceptable, and I think everybody who sat on that committee found that to be unacceptable.

We pointed that out in our dissenting report, and furthermore that we were of the opinion that provisions for OHIP subrogation and the presence of contingency fees would place further upward pressure on those premiums. We suggested there needed to be significant redesign of the draft regulations and the draft bill itself. I think that has been addressed. Mr Sampson, I know, has done a considerable amount of work with the industry since that time.

When I mention the OHIP subrogation, I want to point out something to the public that perhaps they didn't know, that there are considerable costs in the area of medical care that the public OHIP system was bearing the cost of. In this legislation of course there is subrogation; there will be the reclaim of some of those costs, we understand in the area of \$80 million a year. I think that's appropriate. I don't think the general health care system in Ontario should take care of the injuries from auto accidents. That will add a bit of upward pressure on the rates that it has been suggested we will be facing in the near future.

Also, we still have some concern that contingency fees will have some pressure. We don't know what those are. I guess time will tell what they might be.

We also had a concern that the delivery of medical and rehabilitation benefits lacked serious control and that it would continue in this manner under the draft legislation. We suggested that further consultation with the stakeholders would seem to be necessary to address this significant area. I will have a few comments on those in a few minutes.

At the time of the hearings it was our opinion that the opening up of tort to the extent the draft legislation was allowing would also add significant cost to the auto insurance product, and since that draft legislation has been introduced, that also has been addressed.

1900

We suggested at the time that there needed to be a fee schedule for medical and rehabilitation costs, with advice from the medical and rehab practitioners and the auto industry. It is addressed in the legislation that over the next short period of time there will be a consultation with the stakeholders, with the insurers, with the medical and rehab people in order to establish a fee schedule. It's our

understanding that if the industry can't establish this fee schedule, the government will step in to establish one for them.

We have to be concerned that there be that balance between what the medical and rehab industry needs in the way of fees, what the industry can afford and yet maintain reasonable insurance rates, and what the government will accept as being reasonable as well.

I urge the government — and I suggest they will probably want to do this — that this be carried out as quickly as possible, because in the interim we're concerned that these costs will continue to rise.

We also felt that there should be a significant redesign of the designated assessment centres. As anyone who's had a claim knows, this is the step you have to go through as an injured party to determine the extent of the injury, and then subsequently an effective plan has to be put in place for treatment. That's where the magic is going to come into this. This is where I think we can make some of the greatest gains in a fair system, one that treats injured —

Mr Len Wood (Cochrane North): On a point of order, Madam Speaker: We have a very important piece of legislation here. We're talking about auto insurance, and I think it's very important that the government should have a quorum.

The Acting Speaker: Thank you. Is there a quorum, clerk?

Senior Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries): A quorum is not present, Speaker. *The Acting Speaker ordered the bells rung.*

Senior Clerk Assistant and Clerk of Journals: A quorum is now present, Speaker.

The Acting Speaker: The member for Essex South may continue.

Mr Crozier: Gee, I lost my train of thought. I think I'm going to have to go back to the beginning. No, I think I was at the point of suggesting that one of the concerns in our dissenting opinion was that we needed to significantly redesign or perhaps, if we couldn't, to simply eliminate designated assessment centres.

It's strange: just a comment about that. I seem to recall that I was in Hamilton almost a year ago, at a meeting of insurance company claims personnel, and I think the Attorney General and I were addressing them at that time. If you will recall, I mentioned designated assessment centres and their value and almost got thrown out of the place. Isn't that the recollection you had? I seem to recall that the Attorney General was promoting almost an absolute return to the tort system. Anyway, I didn't think designated assessment centres were so very popular there, but I see they're still being left in the legislation.

Another area of concern was declarations of conflict of interest by health practitioners that should be filed with the Ontario Insurance Commission.

There should be a complete ban on referral for profit, that is, where injured parties could be referred by their doctor and/or their lawyer to a medical rehab centre that either of those individuals, or others who had some control over where they went to get their care, would have an interest in.

Permit insurance companies to access information on collateral benefits — I'll go into that in a little more detail in a moment — and implement measures to reduce fraud, as suggested by the crime prevention bureau. I want to comment on that as well. Quarterly reports by the Ontario Insurance Commission on all its activities should be tabled before the Legislature.

Let's go back to just a couple of those that I feel are perhaps more important than others. The one on implementing measures to reduce fraud suggested by the crime prevention bureau, I think the government has taken a great step in that direction. The plan for registration of vehicles that have been damaged in accidents previously, there's going to be a registration system for those. There's also going to be, I understand, greater cooperation between the Ministry of Finance, under whose jurisdiction this act is written, and the Ministry of Social Services so that someone can't collect from both. I think any area that we can get to the problem of fraud will be most welcome and we would support any government initiative on that.

A complete ban of referral for profit: I guess time will tell how well we address that problem, but it seems to be totally inappropriate for a medical practitioner, for example, to refer a patient to a rehab centre in which that medical practitioner has an interest. It's my understanding that under this legislation that medical practitioner will be required to make it known to the injured party that this is the case, then the injured party can make a decision that they go on somewhere else. I think this absolutely has to be controlled to the nth degree and I would prefer — I can be corrected on any of this, obviously, if I'm wrong — that you simply not be allowed to refer for profit.

The declaration of conflict of interest is addressed in the legislation.

The fee schedule: I'd like to return to that because it's absolutely imperative that the fee schedule that's established under this bill be adequate to cover the costs so that medical practitioners will give the finest care and be paid for it, but the fee schedule must also be seen to be fair to the insurance companies and subsequently the insureds who are paying for those fees.

That is one areas where experience will tell us whether we're right or wrong, and I would hope, for the sake of all the insureds in the province of Ontario, that is the case and that it will seem not to be putting too much pressure on the costs of auto insurance.

1910

Mr Chris Stockwell (Etobicoke West): Are you in favour or opposed?

Mr Crozier: I'll come to that, and I might not even tell you that tonight. The member wonders whether I'm in favour or opposed. I certainly am opposed to the regime the way it is now and I'm opposed to the kinds of rate increases we've faced over the past few years. I suppose the extent to which I'm in favour of this may evolve over the next day or so in debate.

It raises an important question: whether I'm in favour or opposed. There's a lot of faith in this legislation. We are told that we can look for lower insurance rates; we can look for more stable insurance rates. In fact there are

several leading companies in the industry that have said they will reduce rates under this legislation, but there are a great number of companies that have yet to comment on it.

The reason I think the paying public should have some concern is for example in the Toronto Star on June 17, where the headline says, "Third Insurer Plans Cuts to Auto Rates," but you have to listen carefully to what that insurer said. It was a vice-president of underwriting of this major company who said in an interview that his company would probably cut its rates by an average of about 6%. To me, it's the word "probably." That wasn't a quote; it was something that came out of the interview. There's a certain amount of doubt that goes with something that doesn't appear in quotation marks and that uses the word "probably."

The vice-president went on to say, and this is in quotation marks, "We will do it as soon as possible and we think there will not be a need for large increases in the future." To me, the key words there are "we think there will not need to be" — it doesn't say implicitly that it will not need to be — and it goes on to say that they would do this "as soon as possible." I don't know whether "as soon as possible" is within the next six months, within the next year or within the next two years. All I'm saying is that there's a lot of anticipation out there that these rates either are going to be reduced or that they will stabilize.

We've faced insurance increases over the last two or three years in the range of 12%, some people 15%, some people 20%, so we have insureds in the province of Ontario who have seen increases in their rates of anywhere from 15% to 30% over the last few years, yet we have insurance companies saying, "We're going to give you a 5% decrease." The risk of Bill 164 is not there any more. "You raised my rates by 25% over the last two years. We're now beyond that concern. Gee, if I'm an accident-free driver and I'm no longer a risk, why don't you take my rates back to where they were before? Why only 5%?" Those kinds of questions are being asked of me.

There are insureds in the province who first of all don't really understand how rates are even arrived at. How many times, those here this evening who have been in the insurance business, have you had an insured come in for a renewal who says: "Gee, when my car was brand-new I paid \$600 a year for insurance. My car is now five years old and my collision rates are still equal to or what they were before." I think that sort of thing has to be explained to the insureds, and it's going to be on the industry and on the brokers to do that.

These are the kinds of questions that are asked by the general public. Better communication with the general public will certainly help. The fact that some people's rates will decrease 4%, 5%, 6%, whatever they might be, but their rates have increase over 25% to 30% in the past few years, the industry should explain to them too why that is so. There may be a valid explanation; probably there is, but I think it's incumbent on the insurance companies to explain that.

As part of this legislation, I understand that the government is going to require insurance companies to

give discounts to seniors. I think that's a good thing. The only thing is that in my experience most companies have already given discounts to seniors. In fact, the article I referred to suggested that company already gave discounts to seniors. It wasn't legislated. Seniors out there have to realize that and look closely at their policy, because if they've been receiving discounts already, I don't think they're going to get a further discount, or age discount as some of them call it, or mature driver as some of them are called.

I want to speak for just a moment or two about the ombudsman. We understand there is going to be the position of ombudsman at the Ontario Insurance Commission, and as well this goes through a bit of an ombudsman process before it gets to the Ontario Insurance Commission. The broker will be the first approach. The poor old broker is always the one who gets the first tag with it. The broker is the one who has to explain the rates to individuals. Then there will be a company ombudsman. Each company is going to set up its own ombudsman program, I guess.

Then in some of the information I got with the legislation there was a suggestion that there was going to be an overall, I think it was called, ombudsman program in the industry, and then finally, the ombudsman at the Ontario Insurance Commission. We hope this ombudsman position has some clout. We hope they're able to genuinely act on behalf of an insured who feels they've been poorly done by. We hope this isn't window dressing.

I've gone beyond the point — I think when the legislation was first introduced I suggested there may be some lack of confidence in it if they have to appoint an ombudsman, but I was only speaking in jest then. I believe and hope the ombudsman will be able to genuinely act on behalf of the insured.

I want to talk about collateral benefits for a moment. I certainly again don't think the general public understands what collateral benefits are. I'll give you an example where a teacher was in an insurance program of teachers, and as a result of an automobile accident, was having to use up all the sick days that teacher had accumulated. They didn't realize that with any other insurance they have in the way of, for example, accumulated sick days, long-term disability, those kinds of things, the auto insurance only topped that up. That has to be communicated to the public so they understand how their insurance policy protects them.

When we speak of collateral benefits, it was a suggestion while we were in the hearings that insurance companies should have access —

Mr Len Wood: On a point of order, Mr Speaker: We're dealing with auto insurance here. It's very important legislation. I think it's the responsibility of the government to keep a quorum.

The Deputy Speaker (Mr Bert Johnson): That's not a point of order.

Mr Len Wood: Mr Speaker, there is not a quorum in this Legislature to continue the debate.

The Deputy Speaker: Would you like me to check?

Mr Len Wood: Yes.

The Deputy Speaker: Would the clerk please check if there's a quorum.

Senior Clerk Assistant and Clerk of Journals: A quorum is present.

The Deputy Speaker: The Chair recognizes the member for Essex South.

Mr Stockwell: On a point of order, Mr Speaker: I would ask that the member for Cochrane North in future take his shoes off when he's counting for a quorum.

The Deputy Speaker: That is not a point of order.

The Chair recognizes the member for Essex South.

1920

Mr Crozier: Thank you, Speaker. I seem to recall that one time about a year ago the Premier said he has trouble with numbers, so perhaps some of us in the Legislature have a little bit of trouble with numbers.

Back to collateral benefits. The insured public has to understand where their auto insurance policy falls in the order of what benefits will be assessed first. When we speak of these collateral benefits, I felt, and to some degree still do, although I have spoken to those in the insurance industry who have attempted to explain this, that as a single insured, compared to someone in a group, like teachers or any other group that may be able to buy a group plan, my collateral benefits should be taken into consideration. But we're told by the industry that this would cause too much displacement. That's probably another word the general public doesn't understand: "displacement." What that really means is that those who don't have any collateral benefits, any other kind of insurance, would pay an unusually high amount of insurance compared to those of us who have some collateral benefits on our own, that we have as part of our employment, or that groups have.

There seems to me to be a lot in the area of automobile insurance that needs to be communicated to the general public. The front-line people are the poor brokers; the brokers are going to have to do this. But certainly it behooves us who have some understanding of it — and some have more than others — that we explain this to the general public.

Also, I would like to make a couple of comments about the uninsured driver. We heard today in one of the questions to the Minister of Transportation what is going to happen in those cases where it's found that someone does not have insurance yet is driving their automobile. For the first offence it's going to be somewhere between \$5,000 and \$25,000. We have to get serious about this, and that's one way to do it. The problem is, if you can't afford auto insurance, chances are you're not going to be able to afford the \$5,000 fine either. Probably the person will get a judgement against them, will go jump into their car and drive off into the sunset again until they're caught the next time.

We don't know for sure whether the percentage of those who drive without automobile insurance is 10%, 20%; we don't know where it is. But I think we have a sophisticated enough system in place that, rather than just waiting until that individual happens to be stopped by the police and the police then can check it — I refer it back to the Minister of Transportation, who the day this insurance was announced said, "We're going to go out and take the plates right off your car." I paraphrase, but that's essentially what the minister said. I said to myself,

"Why can't they do that?" If an automobile insurance policy is cancelled, the insurance company could notify the Ministry of Transportation and the ministry could mail out to the individual and say, "You have 10 days to either provide proof of insurance or bring your plates in." If it goes beyond that time, I guess there could be some kind of procedure that would follow up and try to track the individual down.

The real problem here is not getting the driver off the road, because it's the vehicle that's insured. What we have to do is get the plates off the car that's not insured to make sure it's not on the road. I think we have the sophistication in the system to do that.

Last, I'd like to comment a bit about the Facility Association. We have been told by the government that a lapse in coverage will no longer be a reason that someone would be placed in the Facility Association. I say to that, the real reason for the four points for lapse of coverage that we understand were put there in the first place was so that someone who was high-risk could not move out of the system for a short period of time, be it a month or two years, and then move back into the system in the standard insurance.

But I applaud the suggestion that those with legitimate reasons for not having insurance over a period of time — for example, if they were out of the country; perhaps they were out of the country on government service — will be able to get back into the standard market. There are others. I had an example in Essex South where a mature individual, an older individual, had simply neglected to renew the insurance. I think it should have been incumbent on the broker to track that person down, but in any event, there were no accidents. This person probably didn't drive that much; it was a senior.

I appreciate the fact that people like that, with legitimate reasons for having lapsed insurance, will be able to get back into the standard market. We still have to address the problem of those who got out of the standard market simply to avoid it. And anything we can do to depopulate or further depopulate the Facility Association will be appreciated by many in the province.

I've covered some of our concerns. We continue to have concerns. Certainly this is a huge step away from a system right now that is absolutely broken. I wish I could get some of those on the government side who, during the hearings and subsequent to the draft legislation, have told us that this is really OMPP as it would have been had things been left as they were originally — I know the Premier, for example, on a couple of occasions has commented on that. I think he told the NDP government, in a quote in the *Toronto Sun* in July 1993, "Tory leader Mike Harris accused the NDP government of trying to fix something that isn't broken.... 'For the last two years, we've received next to no public complaints about auto insurance'." That would lead me to believe that in the Premier's opinion, the OMPP, Bill 68, was not a bad piece of legislation. Certainly it needed some improving, and even this legislation may need some improvement over the next few years.

Also, the Premier, the then Tory leader, back in 1990 when no-fault was first coming in, said: "I don't believe in no-fault. The name offends me. I was brought up to be

responsible for my actions. I think the court system and the lawyers are necessary to protect victims. I'd take a look at the repair industry and the car industry." And he went on.

I'm glad to see that the Premier has changed from 1990 to 1993 to say that the tort system isn't the only answer. He even went on to say that he felt Bill 68, the Ontario motorist protection plan, at that time was not broken and that over time would have been improved, I'm sure.

I point out as well in this legislation that there is a time limit of two years during which we will look at the legislation, see how it's working and fix those parts that may appear to need some adjustment.

My friend from Etobicoke has left. I hope I haven't given him too much notice to this point of whether I support it or not. If it doesn't stabilize and in fact decrease rates, it will have fallen short, but I certainly think it's a step, and a good step, away from a system that was in terrible trouble.

The Deputy Speaker: Further debate?

Mr Sean G. Conway (Renfrew North): I want to thank my colleague the member for Essex South for giving me an opportunity to address some of my concerns and those of my constituents with respect to the bill currently before the House standing in the name of the Minister of Finance, and represented here tonight is the minister by the putative minister, the member for Mississauga West.

Mr Rob Sampson (Mississauga West): Am I a putative one?

Mr Conway: Oh, there may be a vacancy in Mississauga these days, according to some press reports.

I want to say to the parliamentary assistant that by all accounts, he has done yeoman's service in a difficult area. Unlike his colleague the Attorney General, who looks sage-like from his seat on the treasury bench, I don't profess to have a detailed professional experience and involvement with the insurance industry. I have not been a trial lawyer. I have not been an insurance broker. But I am a consumer and I represent a lot of consumers in rural eastern Ontario, some of whom are not only known to but related to the parliamentary assistant. It is from that perspective that I want to address my observations tonight.

1930

Let me say at the outset that insurance is a service, a commodity unlike most others; it's certainly my experience. It has an importance that is obvious. I represent some 70,000 people, most of whom must drive a car or a half-ton truck to get to work. There is no Mississauga Transit; there is no TTC or OC Transpo. So the importance of transportation and meeting the legal requirement of carrying automobile insurance is obvious and extremely important to the people I represent. Quite frankly, given the way the industry has behaved in recent days and months — I want to get to that. The behaviour of some parts of the insurance industry over the last two or three years is just unbelievable — not all bad, to be sure, but behaviour that is just extraordinary given the fact that we are in the 1990s.

But my farmers, my loggers, my small business people, my retail clerks, tell me quite often about their concerns

about automobile insurance. They know that at this point there does not appear to be any magical solution. My colleague the member for Essex South touched upon the efforts of previous governments in this respect. In fact, in preparing for tonight's comments, I went to the library to just remind myself of some of the work that's been done over the last 25 to 30 years in Ontario about the subject of automobile insurance.

I was struck. I remember some of this, but it's just stunning for me to read that as early as 1965 the then Robarts government received the so-called Osgoode Hall study on compensation for victims of automobile accidents. This is Ontario in the early 1960s, which some would say were truly the good old days. Just quoting from this report, this study of automobile insurance in Ontario in the early 1960s "analysed the adequacy of compensation under the tort-based system with a view to establishing a set of statistics which could be used in the development of auto insurance reform."

The Osgoode Hall study of 1965 had as its most significant finding that 57.1% of those injured in automobile accidents received nothing under the tort system and only 63.1% of those who did receive some compensation recovered all of their economic loss. That was 1965. And on it went through Osborne and Slater and the select committee report on company law, to the so-called Liberal reforms of the late 1980s and Bill 164, about which much complaint has been offered in this place and elsewhere.

Bill 164 had some very serious problems. I remember well attending a couple of days of hearings and I thought the case that was being made against 164 was a very strong case. Of course, it has to be understood that it was a product of the context, as our good friend Tom Walkom writes in that wonderful book, and I was just re-reading that before coming in tonight, Rae Days, the chapter called "Revenge of the Pink Ladies." It's the story of George Cooke, S.A. Murray and the insurance lobby and a very, very successful campaign to stop the Rae government from its decades-old commitment, that is, the decades-old commitment of the CCF and NDP to public auto, and got 164 as a substitute for what it is that generations of democratic socialists and social democrats in Ontario said we needed to have, which was public auto.

I must say, I live on the Quebec border. I've got some experience with the *régie* and the Quebec plan. Ontario is certainly not Quebec, but there have been days in recent years when I wonder just who's been running the better system. It was not always so, but certainly in the last few years even the lawyers in my town tell me, "You'll probably get better treatment with the *régie* and the Quebec plan than you will get in some parts of Ontario."

In my area again, I've got constituents, research scientists at Chalk River, military people at Petawawa, who often spend some considerable amount of time outside of the country. To hear their stories about their unexpected trip into the Facility because of the break-in-service condition that has been much complained of —

Interjection.

Mr Conway: The putative minister says, "And it will stop." I'll come back to that in a moment.

That some of this behaviour has been even imagined as being possible is extraordinary. This is 1994, 1995, 1996. I know the industry was upset with Bill 164. They had some understandable complaint, but to take it out on consumers the way some in that industry took it out on consumers is unbelievable.

I say to some of my revolutionary friends across the way that we have spent some considerable time in recent weeks and months talking about a new order of things, but it is a new order that applies to everyone. I think there are some in corporate Canada who haven't yet figured out that this now attaches to them as well. My best example in recent months was the Rogers cable scheme of a year ago — November, December 1995. There were actually smart people who thought they could get away with that. They didn't. But there have been insurance companies getting away with much worse in the last two or three years, and thankfully, from their point of view, the evil was sufficiently diffused around the province that it didn't come together in any focused way like the Rogers problem focused.

But I can tell you, to the insurance industry — I've spent some time in recent weeks and days talking to some of my constituents who are brokers, who certainly believe in the world of private enterprise and free enterprise. How have these insurance companies, the big ones, Economical, Royal, Dominion of Canada, Zurich, been behaving? Let me tell you, their behaviour is apparently quite something, rather like a Toronto humidity — much more easily felt than seen. But I'll tell you, these people who have been talking to me, who are no fan of some socialist scheme to develop a state-run plan, are not very impressed by the behaviour of some of the big insurance people doing business in Ontario. I say to my friends, undoubtedly this is just a passing phase, this will not continue. They're not at all sure. Some of these people have been in this business a long time and have had several years and several decades to monitor this behaviour and have found in recent months and years that the behaviour of the big players has changed, and not for the better.

Mr Stockwell: Under?

Mr Conway: Under conditions of the last few years, and for whatever reason.

Mr Stockwell: Ten years.

Mr Conway: My friend wasn't here, but you can go back and read some of the previous case law if you want. This is on your watch. This apparently is going to solve all the problems. Trust me, I hope it does, because my constituents would want me to say that they are for a plan that works more efficiently than the one that's been in place for the past number of years.

I remember back in the early 1980s, again, to talk about the insurance companies, boy, they couldn't resist the temptation of becoming bankers. When those old interest rates soared in the early 1980s, boy, those insurance companies with their cash flow, they just couldn't resist.

Mr Sampson: Who wants to be a banker?

Mr Conway: My friend the putative minister says, "Who wants to be a banker?" I'll tell you, the insurance companies couldn't resist in the early 1980s, and let me tell you, their distractions in the early 1980s produced the problems of the mid- to late 1980s when they found, of course, that they had, like Sears Roebuck, left some of their main business and some trouble started to develop. Rates started to shoot up, and yes, did the public's attention become focused.

1940

Mr Stockwell: Sean, you had a plan.

Mr Conway: My friend opposite says we had a plan. It was amended by the previous government, and now you've got a plan. We will see.

Interjection.

Mr Conway: The putative minister, in a not too subtle fashion, says that his is a plan of great range and depth. I will defer, in a good parliamentary way, to his self-effacing modesty, but we will let time tell the tale.

I know, because of family circumstances, how the old plan, pre-OMPP, worked. I have a brain-injured cousin who is the victim — and there were days I wasn't sure where the greater tragedy lay: in that horrible accident that killed some of her university colleagues or the wonders of the old tort system in the 1980s. God forbid that it was me who was going through that with a family member because, I'll tell you, what my aunt endured under that system was just outrageous. It may be the only outrageous case — I rather doubt it — but I've got very personal family experience with the old system that, let me tell my friend the Attorney General, left a heck of a lot to be desired. My friend from Etobicoke says the Liberal plan is not as good as this plan, and I will be the first one to say that if this is the New Jerusalem, so let it be.

But I'm not here to blame politicians either, because we are in a difficult spot, all of us. I think there are some behaviours that have got to be addressed, recognized, disciplined. I think there are some consumer behaviours that are positively outrageous. The number of my friends — I shouldn't maybe say friends. The number of people I know —

Laughter.

Mr Conway: I want to be very serious about this, because I've had enough of this, and I think I speak for a lot of people: the number of people who think that just because there's some insurance coverage, anything goes. It's astonishing to me that these people exist, and they exist in legion, as far as I can tell, as consumers and as providers. I, for one, have had it. I am sick and tired of going to medical specialists and going to a variety of other people and the only thing they want to know is what kind of third-party coverage I've got.

I just want to for the record say there are some responsibilities that attach to all of us as citizens that we've got to recognize in terms of public policy and there are some apparently inherently bad behaviours that have got to be recognized and dealt with accordingly.

It was observed a few — I guess it's now 18 months ago. One of the I think good initiatives of the 164 legislation was the so-called designated assessment centres.

Mr Sampson: Good idea.

Mr Conway: I agree with the putative minister, it is a good idea, but I guess it didn't strike anybody that the opportunity for conflict of interest was just writ large. One of the problems I have with the current bill, which I think has a lot of good intentions, is that I'm not yet persuaded that the government or we as a Legislature are going to be sufficiently tough and bloody-minded to go after those interests in the community that will not necessarily be the consumer interest or the public interest.

It is astonishing to me that people are prepared to engage in the kinds of conflicts of interest under the very nose of the Insurance Commission, under the very nose of the College of Physicians and Surgeons of Ontario, under the very nose of the community, and not apparently take a second's pause. Good intentions are, in my view, not enough. We are going to have to have enforcement provisions, or at least penalty provisions.

It reminds of the NHL. Did you ever see a bigger joke? You get that thug, Claude Lemieux, doing what he did to that Detroit winger, and what does the NHL do? Two games. What a laugh. That's Claude Lemieux saying, "Anything goes," and Brian Burke and the NHL brass saying, "We agree." I'm becoming more and more impressed by non-verbal communication.

I just hope the government makes it very plain that some of the conflicts, some of the creaming off that some very powerful interests in the community — and I don't mean to single out the medical business only. There are people in industry, there are certainly some people in the bar, there are people in the auto repair business, to name but three others, and too many people, in my view, who take the view that if insurance is paying, it's free and that's the end of it.

I want to also say something about the industry in respect of some of their other behaviour recently. I'm glad the Attorney General is here, because I've had some experiences over the years. I've spent a fair bit of time in an automobile, as some of you have heard me say before, and I, as my friend the Attorney General knows, am no saint. I have unfortunately had speeding tickets, of which I am not proud, but I'll tell you, I've had some personal experiences recently that are just breathtaking, absolutely breathtaking. I'm sorry to say to the Attorney General that my advice to any of my constituents now around these matters of automobile insurance is — and I would not have given this advice before — investigate and sue and litigate at every turn. You cannot afford not to.

I live in the Ottawa area. Our major regional daily is the Ottawa Citizen, and they have a very popular columnist that I know the putative minister has met, Dave Brown. He writes a column in that paper on a daily basis about a lot of things, many of which touch on general consuming interest. I was talking to Mr Brown earlier today.

Mr Richard Patten (Ottawa Centre): Brown's Beat.

Mr Conway: Brown's Beat is the name of the column. I thank my friend from Ottawa Centre. He told me today that in all his years of writing columns for the Ottawa Journal and the Ottawa Citizen, no columns he's ever written attract the level of interest and response that his columns of recent months around automobile insurance

have engendered. I'm not surprised, because there is out there a growing number of people who have extremely legitimate grievances about the way they've been treated. I'm going to mention just a couple.

The Farm, the Facility: I hope George Cooke and the people at Zurich and the rest of the minister's acquaintances are listening to this, because I got so angry a few weeks ago, I went to the Insurance Bureau and I said, "We'd better have a meeting, because I am going to stand up and say some things that you're not going to like." They were very courteous, and I left the meeting more perplexed, in some ways more angry, than when I got there, because of course they weren't really denying or countering much of what I was suggesting. Now, they did provide me with some interesting information. But I want to come back to the Facility.

Most people in the province rightly believe that you only end up in the Facility if you yourself have done something that is reasonably serious. As I remember the reconstruction of the Farm, the Facility, a couple of years ago, that was clearly the intent. If you read the happy little bulletin that is provided, "You're in the Driver's Seat," you would certainly get that impression.

That is manifestly not the case, because there are some in the insurance industry, and I repeat "some," who have behaved outrageously. They have been dumping people into the Facility, who in my view ought not to be there, on the basis of their so-called four-point plan. I just can't believe, as somebody who does believe in the market economy, that anybody in 1996 would imagine they can get away with this kind of outrageous behaviour.

I come back to what I said earlier. I'm not here saying that all consuming attitudes and all consumer interest are to be accepted at face value. I know from personal experience that consumers are going to have to change some of their behaviours as well. But Dave Brown in the Ottawa Citizen has recited a number of specific examples of where I think by any objective standard people who have not committed any egregious misconduct have none the less been tossed into the Facility, and many of them can't figure out how they got there. They don't understand that this four-point risk index or system is an internal industry system that is not legitimized by law. They have no idea about how uneven is the application across the insurance industry of this four-point plan.

1950

I raised a specific example with the Insurance Bureau and they said to me: "Oh, well, didn't you know? That's not a particularly good company these days." Let me say to the minister, let me say to the House, no, I didn't know that, and some farmer, some retail worker in Renfrew county, would have no way of knowing.

Let me repeat for the benefit of the Attorney General and the member for Mississauga West, the parliamentary assistant responsible for financial institutions, I want more than Bill 59 indicates to make me believe that the kind of behaviour we've seen from some insurance companies around the Farm, the Facility, is going to end. I'm not at all persuaded that some language in the statute is going to make some of these characters change their ways. When I hear from some of my broker friends about some of the conduct of the big boys and girls, I'm even

less persuaded that a general hope, a leap of faith, is going to be adequate to make these folks feel that it is a new day and they should change some of that behaviour.

I just say again — and I didn't bring in the cases that have been brought to my attention, but hundreds, probably thousands, of Ontarians have been run into the Facility for no good reason. They have been ripped off, they have been abused by some in an industry who are damn lucky that the general public hasn't figured out the game they're playing.

We're quick in this chamber these days to talk about "those welfare bums" and "those shirkers." Well, what goes around comes around. When somebody sitting in Toronto or in Cambridge or in London decides for no good reason to nail some poor constituent of mine with an increased tax, really, of \$4,000 or \$5,000 or \$6,000, I've got to tell you, you've done something that I think is quite unjust, and I want to say during this debate that that kind of behaviour, as Mr Brown has been writing about in the *Ottawa Citizen*, and as others — and as I said, when I went to see the IBC, they weren't willing to contest much of this beyond saying, "There are some good people and there are some bad people in this business." My question remains: So how does the consumer learn these things?

I learned something from the IBC and I brought it along with me tonight. I thought, "I wonder how many people in Ontario know this." To digress for a moment, one of the concerns I have is, how do you make a market work in something like insurance? I want a market to work, but as a consumer who owns a house and a cottage and a car and few other things, I watch the way this market works, and boy oh boy, I'll tell you, it's really something. I want the market to work, and I am not going to operate on the belief that the trial lawyers and the rehab specialists and the plutocratic interests that run big insurance are going to, in their every instinct, concern themselves first and last with my interest as a consumer.

My impression, to be perfectly frank, about the insurance industry is that what they want is my premium revenue and they don't want to hear anything else from me. That's basically my experience, and that's the way I want to have it. I want as little to do with them as they want to have to do with me. I'll write the cheque for however many thousands a year to meet my requirements, and I will file no claim for anything that is not catastrophic. In fact, one of my own little consumer instincts lately is, boy, jack up those deductibles. I want them so bloody high that maybe I'll get a little bit of relief from some of this chicanery. But that's basically been my impression: "Pay your premium and be quiet. If we start to hear about you, you are in trouble."

So how do we make a market work, those of us who are interested in making a market work? I think there are a couple of ingredients, a couple of policies that would be useful that are not now there, and I don't mean this as a criticism necessarily of the government alone, because I think as citizens and as consumers we have some blame as well.

But back to my point. I went down to the IBC, and they were very good. I must say, I was prepared to be ugly; I wasn't as ugly as I can sometimes be. Anyway,

they trotted out this little document that somebody has prepared. I just assumed it was the Insurance Bureau. I think it is. Everybody in here should have this, if you haven't. This is basically how cars measure up and what you need to know, and some of you probably do know this. But God help you, if you buy any of these vehicles that have got red colouring, you're paying a real premium on a premium.

Mr Marcel Beaubien (Lambton): You don't want a Camaro?

Mr Conway: The member for Lambton says, "You don't want a Camaro?" You apparently don't want a Camaro, you don't want a Mustang, you certainly don't want one of those Jeep Cherokees.

Mr Derwyn Shea (High Park-Swansea): How's my Buick?

Mr Conway: I'm not prepared to laugh about this, because too many people are getting screwed, and they don't know it.

Interjection.

Mr Conway: Now the minister is getting sensitive.

I then started to look at the report of the Ontario Insurance Commission because, you see —

Mr John Hastings (Etobicoke-Rexdale): Another useless body.

Mr Conway: The member for Etobicoke-Rexdale says that it's a useless body. I don't know that —

Interjection.

Mr Conway: I see some of the people I know, some of the people there. Boy, I see a couple of familiar faces, and I don't now mean the commissioner either.

But this is very, very useful information. I've gone around for the last couple of weeks trying to find consumers who know anything about it. I can't find any. I'm not blaming the government for this, but I'm going to tell you, as a consumer I need to know much more of this kind of information. How do you think a person feels in 1996 to walk into an industry association with a complaint on something we legally require? This is not optional.

The poor old minister of highways is in a tough bind. He's over there faced with certain kinds of behaviours that are not very heartwarming, and I've got some sympathy for him. He's going to bloody well clean up this situation, and these cowboys who drive without insurance are going to be dealt with. Obviously, we all have to support that, but you support that on the assumption that there is going to be sane, rational and fair behaviour on the part of the other player: the private insurers who are supposed to meet this market demand. On the basis of some of what I've heard from some of my constituents, I'm going to tell you, I think a lot of people, if they've been treated that shabbily, would have some cause to think about perhaps behaving in a way that none of us would want.

I dare say there are a goodly number of people in this room who, if they were treated like that — I've had an interesting experience recently where I thought the behaviour was outrageous, but when they found out who lived at 545 Herbert Street, Pembroke, oh, did the behaviour change. Doesn't that make you feel good? If you're Morley Kells or if you're Sean Conway or Charlie Harnick, "Oh, well...."

2000

I'm not too naïve, I don't believe, but on the basis of the case studies that have been brought to my attention over the last few months and years, let me tell you, there are behaviours that are going to have to change. There's one ingredient that I do not see in this policy. God, I hope Vernon Singer isn't watching — he probably is — because I came here the day he unrolled the Ombudsman for Ontario, Vernon Singer's revenge on 35 years of Conservative rule.

Mr Morley Kells (Etobicoke-Lakeshore): I wish he would come back and unroll it.

Mr Conway: You know what, Morley? You're right. You're absolutely right. The thought that an Ombudsman someplace is going to solve some of these problems I'm sure will excite a political scientist someplace who will write a very interesting PhD dissertation on how it all works. But the fact of the matter is, when I read the report of the Ontario Insurance Commission, and then I read some of these press accounts of how people are being treated, I think, "What kind of benefit are many of those consumers getting for the millions of dollars we're spending with the Ontario Insurance Commission, good people that they are?"

I say to my colleagues in the government that there is no doubt in my mind that we are going to have to look at this industry and we are going to have to insist on a far more aggressive dissemination of information on the basis of which consumers can make reasonable judgments. It's not there now, and I don't see any prospect of it developing. When I read some of this material, I think there's a good money-making opportunity here for somebody to do a kind of Ralph Nader consumer handbook in Ontario.

Mr Beaubien: Where's the Toronto Star?

Mr Conway: A good point, I say to the member for Lambton. In fact, maybe it will be a consumer reporter at someplace like the Star, because I've got to tell you, when I shop this around to my constituents, they are interested; and they are a heck of a lot more interested when you tell them about the premium on the premiums they are paying, in most cases unknowingly, because they have just gone out and bought something that the thieves like and now it's going to cost them effectively 35% more in premiums.

It was interesting when I looked at some of the press reportage of Bill 59. Mind you, it changed. I was chuckling the other day when I looked at what Zurich said back in March; it was terrible, absolutely terrible. This guy Sampson, for all his stellar qualities, had developed a package that was going to drive up the rates. I brought the clipping. I chuckled; they were really concerned. Zurich said back in March or April, I think it was, they thought the rates would be going up by 7% or 8%. Now we find, magically, that Zurich is offering a reduction.

Interjection: What a switch.

Mr Conway: That's right. Again, if you're sitting there in Willowdale or Mississauga and you're reading this, you see Zurich, a big player, saying in March, "Oh, it's terrible; this licence to near open-ended tort is going to drive up costs, and premium increases of the order of 7% or 8% are absolutely a given." Two months later, one

of the biggest players in the game is saying, and in fact has already offered, if the bill is passed, that rates are dropping by 5% on average.

Mr Bernard Grandmaître (Ottawa East): I wonder why.

Mr Conway: I wonder why.

Mr Sampson: Take a look at the difference between the two bills.

Mr Conway: The minister says, take a look at the two bills.

Mr Grandmaître: Because I cancelled my four policies.

Mr Sampson: You want us to listen; we listen and now you complain.

Mr Conway: I think the minister is just too sensitive. My concern here is for the —

Mr Douglas B. Ford (Etobicoke-Humber): He is always grumbling about something.

Mr Conway: Listen, I thought you'd be spending your time worrying about the Whitby hospital.

I want to say to my friend from Ottawa East that he might feel confessional at some point and tell his story, because if it's the story he told me a few weeks ago, I don't think I'd want to be an insurance company trying to explain those kinds of behaviours.

I just say again that when I look at what this bill does, and if I think back to those days in 1991 when Bill 164 was being debated and then enacted, what were the complaints? No question, the accident benefit package was too rich and it was going to drive rates up significantly. In fairness to the industry, I think the OIC makes that case in its most recent report. If I look at their data from Ontario, 1992 through 1994, that seems to have been borne out by the experience in the first two years of Bill 164 having been in place.

But now, I say to my friends in the business, if the current Ontario government reduces the benefit entitlement by the order of magnitude proposed in Bill 59 — wow. Think about the opportunity to offer discounts. Five per cent? A mere pittance. Personally, I like the idea of being able to buy a basic package and then insure beyond that point. I like that and I suspect the \$400 rate is certainly going to address most of the concerns of many of my constituents, people I represent. The evidence that the \$1,000 entitlement was apparently just too sweet an inducement for those people out there prone to bad behaviour — and I don't just mean consumers; I mean providers as well.

Back to my point about the so-called direct assessment centres: I gather the parliamentary secretary had quite an interesting encounter in the last few months as he went about meeting that new business, that new industry that developed post-164, particularly the rehab clinics and others. It's a very dynamic marketplace out there and I'm under no illusion. For every action, there will be a reaction.

But coming back to my main point, if I remember the criticism levied at the Rae government over Bill 164, the bulk of it was: "These accident benefits are too rich, they're going to drive everything to a stratospheric level." The OIC data suggest that there was certainly a very real pressure.

Bill 59 is going to substantially amend that possibility downward. So I say to Zurich and Dominion and Economical, 5%? Oh, that absolutely is just the beginning presumably. As a consumer I find it vexatious that I cannot go someplace — and I don't consider the Ontario Insurance Commission the place for it — to have somebody give me the straight goods on who's making how much in this business. You know, some of these people who have been crying poor in the last few years, their profit and loss statements don't look too bad in some cases. I'm not sure in all cases, but there are some cases — well, I see the putative minister of justice nodding in the negative. I'd like to see some independent analysis about what's now in the reserve pool.

2010

Let me just say this: When the banks report \$1 billion in profit, no one where I come from expects the profit is really a billion bucks. The reported profit is a billion bucks. And so it is with insurance companies. I'm perhaps from Missouri, a little dubious, but I would really like to get some independent assessment of what's been going on with the reserves, how they've been calculated. Some in the current government say this old maxim of electricity policy: "Power at cost." Yes, but how do you calculate the cost? Similarly, I'd be interested to see someone far more expert than I evaluating how those reserve funds are in fact being accumulated and discharged these days.

I repeat the statistic I used a while ago. Thirty years ago an illustrious panel concluded that 57% of accident victims in Ontario got nothing from the tort system of that time. I want to take a moment with my friend the Attorney General.

Mr Beaubien: Now, be easy on him.

Mr Conway: Listen, I can say some things that others can't, and I'm very fond of the Attorney General. He came here in 1990 like one of the — was there not a Toronto sports team called the Toros? It was a WHA hockey team. I remember the mascot was this bull with this red fire emitting from his nostrils. That was Charlie Harnick in 1990. Ol' Charlie is a protest movement becalmed, and why wouldn't he be, with Bill 59? You know, Charlie came here — a popular fellow instantly. He was balanced and sane on all matters except the role of trial lawyers and auto insurance. I mean, Murray Elston was — I won't say the word that comes to mind — the devil incarnate. It was palpable, his upset with what Elston and those Liberals had done to automobile insurance and most especially what they had done to limit the involvement of the legal profession.

I think Charlie had a fund-raiser the other night. I suspect if the place wasn't overrun with lawyers who used to do business in the insurance sector, they are ungrateful beyond words. We have now a return to some measure of tort, not yet decided. I've been through these debates before. As I say, from family experience, it is a bad word, it is a horrible memory, and I don't hold it out as any great salvation.

I was struck, when I was preparing some material tonight, by — this is an interesting little booklet put out by something called the Insurance Information Institute. It's a pro-industry lobby in the United States, but I

actually found it to be not a bad piece: "Auto Insurance: Critical Choices for the 1990s," by some fellow named Sean Mooney, PhD, CPCU — that's got to mean something important. But there was just one little piece of statistical information, and this book was published in 1989. I'm just going to read one paragraph.

"Because no-fault has resulted in fewer lawsuits, taxpayers realize significant savings in court costs and other public legal costs. According to former Chief Justice Warren Burger, every jury trial tort case costs American taxpayers approximately \$8,300 in court and other related costs."

It just struck me as an interesting reference.

Mr Tony Clement (Brampton South): Is that US?

Mr Conway: US funds — real money. If Stockwell were here, real money, he'd say.

But I say to the minister of justice, who faces constraints we all know about, if we are going to have, as I suspect we will, some considerable activity — and I know my experience recently, and I'm telling you, I will not change this advice over the course of the next few months. My experience recently in one case out on Victoria Park — I feel totally contaminated by a complete, transparent fraud. When I complained to my insurance company, of course it was de minimus: "Oh, we haven't time for that." And I was stupid enough to let it go. Never again: Sue, litigate, contest. If I had to tie up the traffic on Victoria Park for a weekend, I'd do it. I would not leave there without a Metro cop or some other neutral party to report, and then I would just march down to the nearest court and fight. My experience — despite the rhetoric, despite the calm assurance, the reality has been quite to the contrary.

That may change. The minister-in-waiting would say, "Yes, but when 59 gets fully implemented, it's just off to the races." I was here three years ago when the then government gave us similar assurances. You might say, "They were socialists and what would they know?" But those kinds of assurances have been offered before. I'm simply saying that by opening the door, as we are now, to tort, we are certainly going to attract and encourage more business for the courts.

If Warren Burger's number is to be believed, that seven years ago the average cost to the American public was \$8,300 for every jury tort case, I can imagine what it is going to be in 1996 or 1997.

Mrs Marion Boyd (London Centre): He's going to cut the juries.

Mr Conway: The former Attorney General behind me says something about he'll cut out the juries. Perhaps that will be the case.

The people I represent, when it comes to insurance, want the following: They want to know that they are going to have available and affordable insurance that is going to meet their needs and the needs of their family. I recognize that the current régime is not working, and it is malfunctioning in some of the very ways that people far smarter than I predicted it would malfunction a few years ago.

I was again struck when I was reading — I say this for the benefit of the House. We've been through so many iterations, as the bureaucrats like to say, of this policy,

but it's only seven or eight years ago that the following was the package of benefits you received in Ontario in terms of accident coverage: The no-fault benefits prior to the Liberal bill, Bill 68, were \$25,000 per person for medical and rehabilitation costs excluding OHIP payments; income replacement benefits of up to \$140 a week for a maximum of two years; death payments of \$10,000 for the death of the head of a household; and funeral expenses of up to \$1,000.

That's where we were seven or eight years ago. We have certainly come a contorted distance in the intervening eight or nine years. But I say to the parliamentary assistant that my constituents want, as I think everyone wants, available and affordable coverage that is fairly explained and generally available. I repeat again that while there are many good people in the insurance business both locally and centrally, there has been enough bad behaviour by enough bad actors in the last number of years — and it may be as one of my friends in the industry says, "Well, we are just so angry about 164 that we've got to take out our frustrations," a very interesting approach to the consumer.

I've seen enough and I've experienced enough in the last little while that I want more than this bill offers in a couple of critical areas. There is a real dearth of consumer information and I experienced it myself in the visit I had to the Insurance Bureau. Some of the good material that's been developed is still gathering dust in government offices and in insurance office towers. It is not anywhere near a general dissemination in the hands of people who need it.

The policy in Bill 59, however well intentioned, in my view lacks a bite. I want a bird dog who is going to do more than some effete ombudsperson who will look from a mountain top and well after the event say, "Wasn't it all so terrible?"

The consumers are going to need more in the way of information and protection against some enormously powerful, well-resourced people who have shown a real inclination to behave in a way that is at variance with both the consuming and the public interest.

2020

I'm not any longer prepared to accept some article of faith that if you just let the market operate, it will solve the problem. I believe in a market economy, but this is insurance. This is a commodity unlike most other commodities. There is a mandatory quality to it, there is a mysterious quality to it, there is a complexity to it that we are not yet addressing in terms of the consuming interest.

I thank my colleagues tonight for giving me the opportunity to express some very strongly held views that I and many in my part of rural eastern Ontario feel about what has gone on, what is intended to go on under the aegis of Bill 59. In the absence of our good friend from Etobicoke West, like in most things in life, the proof of this pudding will be in the eating, and I think we are going to be some months away from being able, on the basis of that digestion, to offer some kind of assessment of whether this policy will meet the objectives that have been widely heralded for it.

The Acting Speaker (Ms Marilyn Churley): Questions or comments? The member for Willowdale.

Hon Charles Harnick (Attorney General, minister responsible for native affairs): I listened with great interest to my good friend the member for Renfrew North's speech about auto insurance and I think it's quite clear that at the end of the day he's optimistic that the policy of auto insurance that the member for Mississauga West has delivered to the Legislature is a well-rounded package, because quite simply, there has been very little criticism in the member's speech about the actual policy of auto insurance that is being proposed.

One thing I do want to talk about that my good friend made mention of is the issue of insurance company accountability. One of the ways that insurance companies have traditionally been held accountable — and I need only quote Ralph Nader, the consumer advocate — is through the area of tort law. Tort law has been the magic, the stick that has made insurance companies accountable. Bill 164 reduced tort law and took tort law out of the system virtually for every person, and insurers no longer could be held accountable.

Bill 59 brings back, to a degree, an element of tort law, not nearly the amount of tort law that the member for Renfrew North talks about. It brings back tort law to the extent that every litigant can claim for their economic loss beyond the point of the trial date, their future economic loss, their loss of earning capacity.

So when my friend made very specific mention of children —

The Acting Speaker: The member's time has expired. Thank you. Further questions or comments?

Mr James J. Bradley (St Catharines): Another outstanding speech by the member for Renfrew North on a matter of great concern to many people in this province. I'm wondering whether in all of his remarks — I caught most of them but not all of them — he was able to assess the effect of all of the provisions of this legislation on Progressive Conservative fund-raisers and just who would be in attendance. I was thinking that there would be a large number of people from the insurance industry, and certainly now that we have tort back, we would have a significant number of members of the legal profession who would be there, and perhaps others. I was wondering whether the member had a chance, in the short period of time he had, to address those issues, because I think the debt of the Progressive Conservative Party might well be addressed simply by this piece of legislation, if not some of the other regulatory and legislative changes taking place.

I was wondering as well if the member dealt with certain practices of police forces which may be, some would interpret, more inclined to make money rather than to actually bring safety to the highways of the province. They are on a campaign at this time to deal with dangerous drivers, which I think is commendable; that is, those drivers who are changing lanes rapidly and driving in a reckless manner. I was wondering whether the member had a chance to deal with those who would be sitting in unmarked police cars around corners, like the Georgia state police, so that they could be earning money for the coffers of the province, as opposed to getting the genu-

inely bad drivers off the road, and whether he thinks perhaps this present blitz will help to bring about safety on the highway, as opposed, as I say, to sitting in vans and waiting for people to go by at 2 o'clock in the morning at 112 kilometres an hour.

Mr David Tilson (Dufferin-Peel): It's interesting listening to the two Liberal members speak on this issue. I must confess I have yet to figure out whether they are going to support this legislation or oppose it, but I'm sure that will come in time.

It is interesting looking at how this whole issue developed. It developed back in the late 1980s. There was a dirt bike accident in Brampton, I believe, if one of the members from Brampton is here. The Peterson government got all panicky, quite frankly, and developed the Ontario motorist protection plan, OMPP. Ironically, of course, the dirt bike case was appealed and was reversed.

Then we got into Bill 164, which was pure no-fault. It was no one's fault, absolutely no one's fault. Under that system there was no access to the courts for economic losses and, as a result, some no-fault motorists were receiving more than those people who were at fault. At the same time, the premiums started to double. Double-digit increases were something that were just generally accepted. So people have become terribly frustrated. We have almost had a system every other year.

I would like to congratulate the member for Mississauga West for all the wonderful work he has done in developing the government policy and leading us through the hearings. I certainly believe, as do many in the industry, that this legislation will be successful. We have heard very little criticism about it, other than from some of my friends on the Liberal side, although they may well support it. We don't know where they're going to stand with respect to this legislation.

We believe that the reintroduction of tort will act as a deterrent to negligent driving habits and will have a positive impact on the premiums of good Ontario drivers. You should be responsible for the problems that you cause.

The Acting Speaker: The member's time has expired. Further questions or comments? Seeing none, the member for Renfrew North.

Mr Conway: Let me just say, in my canvass of the literature both in Canada and the United States, the literature is replete with informed concern about whether or not tort is going to provide the kind of benefits the two members from Willowdale and Caledon have raised in their comments. If I were a member of the Law Society of Upper Canada, I don't doubt that I would be making those assertions, but the reality is the literature in both Canada and the United States makes plain that tort is, on the basis of the analysis, far less likely to produce the kind of benefits that particularly my friend the Attorney General suggests.

I'm not going to rethresh the old straw — and I see the would-be Attorney General from Whitby becoming more vigorous in the negative. I'm simply saying that's what the literature suggests. Who am I to say that people more knowledgeable than I, who know this better than I — the other observation I would make is that through the 1980s in California — and we were going through

troubled times in Ontario in 1977 and 1978 — California, New Jersey, in many of the big American states, certainly throughout New England, it was a very major issue.

This is not a problem that was developed because of a motorbike accident in Brampton. There were cases certainly in the late 1980s that caused a lot of concern, but they were not the cases that drove the California electorate to a mandatory rollback of rates by a factor of 20%. If you look at the experience in some of the other big industrial states, there were very real consumer concerns about what was going on in the marketplace with automobile insurance.

I conclude my remarks by saying that I think the government policy, while it has some good ingredients, while it certainly has some good intentions, is seriously deficient in terms of public protection of consumer interest around information and adjudication of conflicting special interests that are going to be unleashed by virtue of Bill 59.

2030

The Acting Speaker: Further debate?

Mr Tony Martin (Sault Ste Marie): I appreciate the opportunity tonight to put a few thoughts on the record regarding this piece of legislation. I assure you it won't take me too long to do that.

In my conversation with the folks out there about this legislation, and there certainly are a few who are concerned and interested, the overwhelming sentiment is that they want it to work; they really do. They're sick and tired of the way insurance is delivered in this province changing every other week, and they finally at some point in time want a piece of legislation that delivers insurance at a cost that is affordable and that then produces a result, which is protection for people who get into accidents, who get hurt, so they can get on with their life, correct whatever loss has occurred and get back to normal again.

I suggest to you that the big factor around people's satisfaction with this will be the cost. It will be the major determining factor. It's too bad that this is going to be the major factor, and in some instances the only factor, in whether or not people see this as successful, because the delivery of insurance is a more complicated and sophisticated exercise than that and has all kinds of ramifications for all kinds of people. I think it's important to share with the House for just a second my understanding of what's gone down over the last four, five, six years in this province as we've tried to grapple with the question of how we deliver auto insurance and how we provide a service to people under the auspices of auto insurance in a way that delivers the results everybody wants.

The Liberals brought in a package we were quite critical of that nevertheless was based on a philosophy we understood and were willing to accept — no fault — so that whoever got into an accident didn't have to wait for an eternity to get some resolution as to what the damages were and what the cost was going to be to them. They could get the money they needed to get their car fixed and themselves fixed and get on with their life.

When we got to be government we took a look at that package and, while we didn't go ahead with what everybody out there expected we might do by way of public

auto insurance, we made the package that was in place a lot more just for everybody concerned. We raised the levels. There were some automatic payouts that people got for various and sundry injuries in the Liberal package that we felt were not generous enough when you considered the cost of living and what people lost by way of the accident. To try and come closer to the actual cost, we increased the amount of money people got. We did not get into the area, as this piece of legislation has done, which made it more costly in the long run to everybody, of returning the system to the courts and the reintroduction of tort.

Now we find ourselves back in a situation where it is again going to be very costly for people. I suggest to you that because of that it will be expensive and we will see increases in premiums. We will see an increase in the cost of insurance to the people of Ontario. Under the ever-less-regulated environment that we find ourselves in today in Ontario, the insurance industry will find ways to make its money, make the profits it has become accustomed to making, and then some, in spite of the fact that there will be tremendous costs to the industry itself, as well as people in general, by way of the changes that are being made in this piece of legislation.

It's interesting; business has a way of doing that. You'll see for a time a particular industry moving along, fairly stable; prices are fluctuating a bit but not tremendously dramatically. We see that quite often in the petroleum industry, where gas prices will stay relatively stable and everybody will breathe a sigh of relief and feel that maybe there is some stability that has come into place and we won't see major increases in the cost of gasoline. We all sit back, we relax and then, wham, overnight the prices go up five, 10 cents a litre and more. We saw it recently in this province; as a matter of fact, across the country. I was talking about it today on my way down to Toronto from Sault Ste Marie, as we noticed the decrease in the price of gasoline as we came closer and closer to Metro.

I suggest to you that we will probably initially see some relaxing of the cost of insurance in this province under this new legislation because the industry is, for the most part, fairly satisfied with this package. They certainly want to support the initiative of this government, which is seen by them to be more supportive and friendly to them. They will be doing everything in their power to try and make this legislation work initially, unlike what they did when we brought in the changes to the legislation when we were government and we saw the outrageous increases in the cost of insurance for no other reason except to improve the profit margin, the bottom line, for the industry. Because all of the analysis that was done by the people we brought to the table in trying to put together that package indicated to us that it wasn't required, but you know, as industry has a way of doing, no matter what it is that we look at, the bottom line is the be-all and the end-all.

There may be stability from time to time, for a week or two or a month, or even sometimes six months or a year, but ultimately, in the end, bang, we get increases and it costs us more. I suggest to you that is what is going to happen under the auspices of this piece of

legislation. That's unfortunate because, as I started out to say in my comments this afternoon, the people out there — and I sat on the committee for a day when it came to Sault Ste Marie and I listened to victims of accidents, I listened to the ordinary person in the street who needs to buy insurance, I listened to the brokers who came to the committee. They all said the very same thing: They want something that's going to work, they want something that's going to be in place for a while, they want something that's going to stabilize prices and they want a package that's going to deliver to them ultimately, if they get into an accident, that assistance they need to get their life back to normal, to get their vehicle fixed and to get well if they're hurt.

I suggest to you that it won't be long before it becomes obvious that under this legislation the industry will come in again and, with the attraction that's there now for lawyers to become involved as tort becomes a central part of the insurance business again, it will cost. It will cost all of us in increases in our premiums and it will particularly cost those people who, after getting into an accident, have to then prove in the courts whether or not they were guilty. Unfortunately, the ones who will hurt the most in this are those who can least afford it — the poor, who will not be able to afford the lawyers, and when they can afford a lawyer, they will not be able to afford the best of lawyers, as the industry will. The ordinary Ontario citizen out there who is really genuinely hoping that finally this piece of legislation is going to do the trick for him will find that at the end of the day it will not.

We will be back to the drawing board again. As some of my colleagues have said who spoke to this legislation previously, when we get back to this again — and invariably we will, when it is us who are government — there's lots of appetite there now and there will be, particularly then, to revisit the whole question of public auto insurance again, because when you look at what has happened in places like British Columbia and Manitoba and Saskatchewan, you need not look any further to realize and to understand that that has in it some of the features I think everybody here is so desperately trying to find.

2040

With my colleagues in this instance I will not be, when it comes to a vote, supporting this piece of legislation. I hope the folks out there will understand why I'm not going to do that, and the reason really is that I don't think this is the piece of legislation that will give us what we're all looking for, which is some stability ultimately in the insurance industry, some reasonable assurance that prices aren't going to escalate and some guarantee that when we do get into an accident the insurance we have will cover us adequately for all of the costs that have been incurred.

Thank you very much, Speaker. I appreciate the time and I will pass it on now to somebody else.

The Acting Speaker: Questions or comments?

Mr Wayne Wettlaufer (Kitchener): I am probably one of the few in this House who has the level of insurance experience that everybody else is talking about. I

was an executive with an insurance company for a number of years and since then an insurance broker, although I no longer have —

The Acting Speaker: Member for Kitchener, if I could just clarify, are you doing your speech or the two-minute question or comment? Two minutes? Okay, sorry. Continue.

Mr Wettlaufer: Start the clock again, Madam Speaker. I have lost some time.

The Acting Speaker: Go ahead.

Mr Wettlaufer: It's important, I think, to realize that automobile insurance is not an easy subject for anyone to comprehend but, as an insurance broker prior to my selling my interest in my business, I spoke with my clients many, many times. I represented my clients, as any insurance broker does. The insurance broker is the one who understands the needs of his or her client. Nobody here is talking about, other than the member for Mississauga who has brought forward the legislation, what the consumer needs, what the consumer wants.

It is very important to understand that the consumer wants decent return in benefits but doesn't want to pay an arm and a leg for them, and that is what this legislation is designed to do. It's a compromise piece of legislation. It's designed to balance need against price, something that neither of the two previous governments were able to do over the last six or seven years. I know; I had to sell those products. I had to try to be the intermediary with the client and the insurance company at the time of a claim, and let me tell you, there were all kinds of problems as a result of those pieces of legislation.

The Acting Speaker: Further questions or comments? Seeing none, the member for Sault Ste Marie.

Mr Martin: I just want to thank the member for Kitchener for sharing with us his own experience in the insurance industry. Certainly I respect his level of involvement and understand his concern re this piece of legislation. As I've said in the few thoughts I put on the record, people like him who are involved in the industry, who have delivered the products, who were brokers out there, were genuinely concerned about making sure that this industry stabilized.

A lot of the problem, I suggest to him, was not caused by the previous legislation. We really didn't get much of a chance to have that legislation unfold and mature and come into being. A lot of the problem, I suggest, was caused by the industry itself, and I'm not talking about the small brokers in communities like Sault Ste Marie, whom I met with on a number of occasions as we went through the development of the legislation that we brought into effect, who raised concerns and had some anxiety themselves about the delivery of insurance and that particular product.

They, like you, want something that's going to stabilize the industry, that's going to give people some level of assurance that the cost of this product isn't going to be out of the reach of the people they sell it to and that ultimately, in the end, what they have will protect them, will give them what they need by way of money to repair their vehicle and to make themselves and whoever else was hurt in the accident better again.

I suggest to you that when we get down the road always with this piece of legislation, with the extra cost that the industry will incur and with the —

Interjections.

The Acting Speaker: Order, please. Order on the government side.

Mr Martin: — again that we know the industry has for more money, that in fact it will not do the trick and we'll be back at this again at some later date.

The Acting Speaker: Thank you. The member's time has expired. Further debate?

Mr Gerry Martiniuk (Cambridge): The world is an ever-changing place. Little did Nikolaus Otto know in 1876, when he combined a spark and vaporized gasoline to produce a series of gasoline explosions, that he had changed the course of history forever. He changed civilization, he brought freedom and mobility to the common person and, unfortunately, a great danger to our precious environment.

Nor did Henry Ford know when he adopted the mass production system formerly used by Colt in the manufacture of weapons that this form of efficient manufacturing would change our world for years to come. He changed our lives and gave geographical freedom to our citizens, from dropping off the kids at school to high-speed transportation that we have become reliant on. Our lives have become much faster paced and some would say more stressful.

The automobile changed our landscape. The network of highways across North America has brought our great country closer together. We take this for granted, but it was out of reach of citizens in days gone by. The engineers gave us the V-8, air bags, crush zones, anti-lock brakes and dramatically improved quality. The automobile demanded the best of engineering and it was delivered. However, we've had a much greater problem solving the social problems resulting from the automobile, among them the simple matter of protecting persons on our highways from damages and injuries resulting from the negligence of others.

I've sat here and listened to the debate and I've read Hansard for the last five or six years, and it reminded me of a story of the two ladies who were walking down the street and they came across a frog. The frog spoke to them and they were quite astounded. The frog said, "I used to be a minister in charge of automobile insurance reform and if you would kiss me, I will be restored to my former splendour." They were astonished, but one of them picked up the frog, looked around and then shoved the frog in her bag and walked off. The other one was wondering, "What's going on?" So she followed and said: "What did you do? Why did you put the frog in your bag?" and the first one said, "Are you kidding? A talking frog is worth a lot more than a former minister."

The rule of tort when applied to automobile damage did work for decades past. However, it became apparent that with the loss of efficiency in our court system, courts as the only solution became too expensive and definitely too slow to meet our needs. As the expense of the tort system grew, governments across North America acted to find solutions and a bunch of quick-fixes were made.

There were those who wanted to treat the symptoms and not the disease by capping insurance premiums instead of dealing with costs. Then there's public ownership, another quick fix. This permits governments to subsidize insurance premiums from government general revenues. Hide the problem, don't solve it. But this shell game eventually catches up with one. You can keep as many sets of books as you want, but eventually reality will set in.

2050

Another panacea, total no-fault: Avoid the legal system altogether and set up entitlements based on need and not actual loss. The Liberal minister, the Honourable Mr Elston, on October 23, 1989, introduced Bill 68 with the following promises:

"These significant and important reforms will result in significant savings for the consumers. At the same time, the new plan ensures that anyone hurt in an automobile accident will receive higher guaranteed payments. By reserving the courts and reducing the amount of litigation in the system, significant savings can be made, savings which can be passed on to the consumer in the form of lower insurance rates and higher benefits. What we are proposing then is a new social safety net."

If these promises seem inconsistent and implausible, you are right, and they are.

The 1990 solution: The NDP government promised a new world, a nationalized automobile insurance program, a new panacea following in the footsteps of the Labour government of the UK and carefully nationalizing only those industries which lost money. However, on September 30, 1992, the Honourable Mr Charlton discovered that the NDP promise of a government-run system "didn't work very well," and therefore he introduced Bill 164 instead.

Automobile benefits were enshrined as an entitlement, not to compensate for actual damages, but as a reward. Substantial increases of entitlements to unrealistic levels ensured increased fraud and, more importantly, high insurance premiums, which became unaffordable to a large proportion of our drivers. Ontario became a place where people climbed into an automobile after an accident and not out of it.

The NDP refused to permit actions for economic losses, compensation for actual losses suffered by the innocent. The result: higher premiums every year, increased fraud, a new bureaucracy dealing with appeals, a growth of uninsured drivers, a point system used to force drivers into high-priced Facility coverage. You get a point for an NSF cheque, and I have yet to figure out and explain to my constituents what that has to do with their driving ability.

Ontarians want a system that is fair, that provides reasonable protection at a reasonable price. This legislation answers those needs. We are setting no-fault accident benefits at a reasonable basic level. Consumers, however, can top up their benefit rates if necessary; their choice. The consumer no longer has to buy a suit or dress that may not fit, a one-size-fits-all solution.

This legislation will ensure stable rates over the long term. Insurers will want to write insurance policies in Ontario. We are creating an environment for healthy

competition and price stability. We are restoring the right to sue for the most important losses over and above the benefit levels. The new tort framework expands the right of accident victims to allow recovery of all types of economic losses of those seriously injured. A serious accident is a very difficult time for a family, and we recognize that with our bill.

We have been told that fraud and overcompensation by a very few drivers drives up the rates for all. We are introducing new measures to tighten the system and identify fraudulent claims. The insurance companies will now have the tools to combat fraud and inflated accident claims. The Ministry of Transportation will now be able to identify uninsured motorists through the use of new technology and data networking. This, I am sure, is welcome news to all in this House.

Consumers I speak to are very concerned about the skyrocketing cost of auto insurance. This legislation provides more information about cost and the setting up of an ombudsman to settle complaints. I am sure that this will be welcome news to those who have dealt with an insurance problem in the past.

Once again, we are listening to Ontarians and delivering what they have asked for. This government has consulted over a four-year period, meeting with over 100 groups and individuals involved in the automobile insurance sector, health care providers, the legal community, the insurance industry, consumer groups and advocates for the long-term disabled as well as average Ontarians. We are listening. This bill is a fair and balanced approach to a very complex problem and will serve our citizens well.

One of my learned friends made a comment about the taste is in the eating when it comes to pudding. I received my newspaper clippings and I noted that a third insurer, Economical Mutual of the region of Waterloo, in which Cambridge is located, has just announced that it will probably be cutting its insurance rates for automobile insurance by an average of 6%. I am pleased that they are joining the august company of Zurich Canada and Dominion of Canada General Insurance in leading the insurance industry to lower rates for the consumer.

The Deputy Speaker: Questions and comments? The Chair recognizes the member for Sault Ste Marie.

Mr Michael Gravelle (Port Arthur): I'm very glad to have a quick response to the member for Cambridge. Like many others in the House, I certainly hope that the proposals put forward in this bill result in stable or reduced fees. I know that in terms of my constituents there's a great desire that this take place, and also some other changes that I think need to take place.

I have a list of constituents who've written me and called me who are concerned about a number of things, and I would like very much to put some of the concerns they have on the record.

Bonnie Robinson: A member of her family was charged for following a vehicle too closely; no damage to either car but her insurance went up from \$700 to \$3,000. These stories are rampant of those people who by simply driving risk-free and accident-free for many, many years will have one altercation and suddenly their rates will go up to a remarkable degree. Clyde Baglien from Minot

Street in Thunder Bay, another situation: A perfect driver for 40 years, had one incident and simply his rates went up again to an extraordinary degree.

Certainly the consumers and the people in my riding — and I think there's no doubt it's the case all across the province — are eager to see changes happen to the auto insurance industry that will benefit them, particularly those who have good driving records, records that deserve a break. There are extraordinary circumstances whereby certain people are literally forced to stop driving their cars or perhaps drive under suspension, which is something we don't want anybody to do.

I hope that we will get an opportunity as we are discussing it today in the House — and I will be glad to put more names on the record. Mr Simon D.I. has a quite frightening story to tell in terms of his rates going from \$1,600 to \$4,200 a year, again simply by moving from one province to another. These are things that need to be rectified, and I hope that we are successful and that this government is successful, but I'm very concerned this may not be the case.

The Deputy Speaker: My apologies. Your riding is Port Arthur. Questions and comments?

Mr Sampson: I want to thank the member for Port Arthur for his comments and I also want to thank the member for Cambridge for his very eloquent delivery. I'm not too sure how I want to take that joke about the frog. I should tell him that I'm not an ex-minister. Heck, I'm not even a minister yet, but if the frog gets a good price, maybe there's a good end to that story. I'm not too sure.

We've heard a lot of debate so far this evening about auto insurance and what the consumer wants, and I should tell you that what the consumer wants is something we kept very close to us as we went through the deliberations and the preparation of this particular plan. Yes, the consumer wants reasonable protection for a reasonable price. There's absolutely no question about that. I think, as the member for Renfrew North has spoken to so eloquently, as he usually does, to some degree the consumer is going to have to take that initiative to shop very aggressively for his or her auto insurance product.

What the consumer also wants, in our view, is a stable product, something they can learn to understand over a period of time — because auto insurance is a very difficult product to understand — and be confident that the product is going to survive year over year.

I said in my opening delivery that it's not our belief that we have this plan perfect now. I think there will be some modifications required to make sure this particular plan, the basis of this plan will survive year over year so that Ontarians will be accustomed to a stable type of auto plan, they will know what it is they are bargaining for, they will know whether or not they're getting good value for their money and they will be adequately protected at a fair price.

2100

The Deputy Speaker: Questions and comments? The Chair recognizes the member for Yorkview.

Mr Mario Sergio (Yorkview): I'm quite pleased indeed to join the debate on Bill 59 or, as it is called, the

Automobile Insurance Rate Stability Act, the insurance act proposed by the government supposedly to bring some decrease or stability in the auto insurance premiums.

I was actually very pleased last year, right on December 12, 1995, to have had the opportunity of introducing to the House my own private member's bill dealing indeed with a number of concerns associated with the insurance —

Mr Patten: Is this your speech?

Mr Sergio: It is my speech, yes.

The Deputy Speaker: It's still questions and comments.

Mr Sergio: Still comments? I didn't see anybody getting up, so I took a chance. If you wish, I can carry on or —

The Deputy Speaker: You have another minute.

Mr Sergio: Sure. If that's the case, then I will use the extra minute to say that I have enjoyed the various debates which have taken place on this particular bill, all with respect to the pros and cons from all sides of the House, from the government side and our own side and the former government's side. I think it is giving us and the public, which is hopefully watching live, because it's not a repeated session of the House — we are in the evening sessions for the next week or so. I hope they follow the situation with respect to auto insurance. I have enjoyed the various debates, pro and con, the government side and our own side, and I hope to add my own in a few minutes.

The Deputy Speaker: You'll have more than two minutes.

Mr Tilson: A few comments with respect to the member for Cambridge: He certainly gave an excellent summary of where this legislation is going, although I will say his jokes leave much to be desired and he'll have to work on them a little more.

But as far as the policy of insurance is concerned, we found that rates started to get completely out of control. In the New Democratic government, I can remember Mr Charlton standing in his place as the Minister of Financial Institutions and guaranteeing that rates would not go up, and of course we all saw what happened. Not only did they go up, but they went up in double-digit increases. So the public demanded a change. This was a philosophy that certainly was not working, was not going to work. People were being overcompensated; there was fraud. The system was simply something out of control. This legislation includes a number of features that will help to control those costs.

Accident benefits will now provide a basic level of protection based on actual losses, and this will ensure, as I indicated, that people will not be overcompensated as they are currently under the current legislation of Bill 164.

As has been indicated in the past by the member for Mississauga West, there will be new procedures for claiming no-fault medical and rehabilitation benefits, including a requirement to file a treatment plan.

With respect to tort, there has been mention of that, and of course access to the courts will be available for losses that exceed the benefits available from the no-fault

schedule and collateral sources such as workplace disability plans. This will help to reduce the double-digit increases that existed under Bill 164.

Finally, there'll be restrictions on tort for pain and suffering and health care expenses that will prevent nuisance claims.

I encourage all to support this legislation.

The Deputy Speaker: The member for Cambridge has two minutes to reply. Further debate? The Chair recognizes the member for Yorkview.

Mr Sergio: Thank you very much for giving me a second opportunity, Mr Speaker.

As I was saying before, I'm quite pleased to join the debate on Bill 59, or the Automobile Insurance Rate Stability Act, as it is presented and called by the government. The intent of the presentation of the bill was to stabilize the rates, the premiums for our insurance or, at best, bring them down somewhat.

As I was mentioning before, at the beginning of my two minutes, and following in the time I have left, last year I was quite pleased and, as a matter of fact, very proud to introduce to the House my own private member's bill with respect to automobile insurance. The debate on Bill 29 was on April 11, 1996, and unfortunately it did not receive the due attention it merited from the majority of the House.

What I was attempting to do with my bill, which by the way was called An Act to provide for Fair Automobile Insurance Practices, was rectify some of the ills with respect to the existing system that are really affecting, plaguing the industry today. As I was explaining in my bill, I was only trying to rectify a few major points. It was not aimed at solving all the evils associated with the insurance industry. I don't think this bill, as proposed by the government, intends to solve all the evils as well. As we both know, as Liberals we attempted to do that in the past. Now the government has been attempting to do that, and in my view I think we have failed the consumers very miserably again.

What I was trying to accomplish was simply some very logical problems that exist with the insurance industry today. One was the interruption or lapse of coverage for a period of time. Another was the occasional driver. A third point, and perhaps the most important, was the risk point system, which is an arbitrary system to determine or establish classification for automobile insurance.

All of these problems, none of which was brought to the attention of this Legislature or required the approval of this particular House here, no ministerial approval, no government approval — and we saw it before. One of our members was showing one piece of material put out by the automobile insurance associations. It does say indeed, "You are in the driver's seat." It guarantees access to auto insurance and controlling your own premiums.

You have to open up the inside and read the real story. I should say that at the back of this leaflet here it says that this brochure, this information is sponsored by the Facility Association, the Insurance Brokers Association of Ontario, members of the Insurance Bureau of Canada and the Registered Insurance Brokers of Ontario and, I was quite pleased to learn, the member for Lincoln, former chair of the Registered Insurance Brokers of Ontario.

I have to quite agree seriously with the member for Cambridge when he asks, "How am I going to explain to my constituents, people in my area, that they are being assessed one risk point because they have received a speeding ticket?" This is explained in here and this is all something that comes through to us, to the consumers, I must say, without most of their knowledge, as a gift from the insurance industry. It's not only five or 10 miles above the speed limit. This deals with if you have made the wrong U-turn, if you've been speeding in a school zone, if you've gone over the speed limit, you receive two risk points, and again this is something that is done totally unilaterally by the insurance industry.

2110

How do we justify to someone who has been driving seven or eight years, let's say a college student or university student, who was barely trying to get himself through college or university years and hopefully enter the workforce, and then, when he finally accomplished that and now has been assigned to a job some 50 or 60 miles from home and needs a car and applies for insurance, when he finds the very unpleasant surprise that he's being treated as a brand-new driver?

Is there a recourse for that? Was there any approval from the government as to why events like this have taken place? Was the approval given to the insurance industry, to the various insurance companies, to do it unilaterally? Indeed they have given carte blanche to the insurance companies, the insurance industry, and a lot more.

The proposed bill, as it is in front of the House today, is simply a good attempt, a good intention of improving the existing situation. But as the creator himself, Mr Sampson, the member for Mississauga West — it's not good enough. It did not go far enough. I still remember what he said with respect to my bill. He said: "Good points, very good points, good bill, but you know what? Since it doesn't solve all the problems associated with the insurance industry, we can't support it."

My bill was not trying to solve all the problems associated with the insurance industry. It was trying to rectify those major concerns, major problems, lapses with coverage or the occasional drivers or those associated with the Facility system, if you will, who are being thrown in there, with respect, when they receive a speeding ticket or fail to yield the right of way, stuff like that. Automatically they are being thrown into the Facility Association.

I sincerely hope that the proposal by the government will provide the insured people of Ontario in the long term — in the long term, because in the short term I do not see it — with adequate relief, perhaps even lowering some of the premiums, and that we won't have to see any more headings like this, nightmares in the insurance business. As we speak today, this continues to exist within the province of Ontario.

If the bill as it is presented is good for the people of Ontario, we should be asking ourselves the question — and I believe this question is being asked by the people out there because this is how I came to propose Bill 29 to the House, my own private member's bill. It was because of the problems, because of the number of calls,

because of what people were telling me during the last provincial campaign. We should be asking the question ourselves. Does this legislation, the amendments as proposed, make the system any better? You ask anybody out there, Mr Speaker, and I'm calling on every member of this House to ask their constituents, if the amendments as proposed today make the system any better, and the answer must be no.

Do the amendments or the bill bring more fairness to the system? The answer is no. Does this proposed new bill bring more benefits to the insured people in Ontario? Does it provide more compensation for less money to the people in Ontario? It does not. Does it do what it was supposed to do, what it was meant to do, why the legislation was brought in in this particular way with one specific purpose in mind, reduce insurance premiums and bring fairness to the insurance industry? The answer is a very resounding no. Bill 59 does not even mention attempting to reduce premium rates. It does not.

When we hear from some insurance companies today that they are lowering their premiums — let me tell you that the people out there are no fools. I had 17 people in my office last Friday — I usually reserve then to see constituents in my office — and of course this was one of the topics we discussed. Not one could be fooled into accepting the idea that at the present time, while we are going through these particular motions here, the insurance company will be attempting to reduce 3%, 2%, whatever. But you know why? This is an exchange of a quick-passage approval of this legislation, nothing more, nothing less.

I don't have to give brand-new statistics to the House, because I think the members are well familiar with that. If I do, it's a question solely to bring again to the forefront the problems we continue to have and our people continue to have. Let me say to the Premier and the minister that our insurance in 1994 went up by about 10.6% right across, and an 11.3% increase in 1995. That was not prior to the election, with all due respect to my colleagues on the government side. That was in September 1996, well after the government was elected last June 8.

In May 1996 three companies — can you imagine that? — in May of this year, while the debate is going on, while the parliamentary assistant or deputy minister is trying to bring some improvements to the insurance industry or the system, three companies increased their premiums to as much as 9.9%. I'm asking you, Mr Speaker, if we really had at heart the interests of our people, wasn't the government supposed to say: "Hang on. We are in the middle of doing something, of changing something, of improving the system. How can you, in spite of that, go ahead and increase so arbitrarily by 9.9%?"

A couple of weeks ago this legislation was introduced in the House, and what did we see? One of the major insurance companies announcing that they have just increased their rates by eight point something per cent. This was on the eve of the government introducing their own legislation. That's what's missing. That's the problem with us. That's the problem with the Legislature, on both sides of the House, and I'm not bashing the government side. I'm saying so because now they have

the opportunity to do something right for the people of Ontario. I'm not bashing the former government because I think it was a disaster what we had with Bill 164.

I think the Conservatives now have an opportunity to build on the good beginning of the Liberal proposal of some five years ago, take it from here and improve on it. But unfortunately, what do we see? We see again a government that's abdicating its duty and responsibility and giving all the powers to the insurance industry.

2120

How can we go and say publicly that what we are proposing is good for them when we are not able to protect the people from arbitrary increases, that while this debate is going on we have insurance companies increasing their premiums? Why don't we have in the legislation — and I'm asking this of the Premier, the minister and the parliamentary assistant — some control where we can go to the insurance company, the insurance industry, and say: "Sorry, folks. You have to justify to us that you are going to increase by 7%, or 9% or 10%, and if you can't, we are going to roll it back"?

Interjection.

Mr Sergio: Oh, that's the old way of doing things. I can appreciate the member saying that.

Interjection.

Mr Sergio: Well, we have my good friend across the Humber River, the member for Etobicoke-Rexdale, first of all saying RIBO is a useless body. With all due respect, I think it has done an excellent job over the many years controlling the insurance industry, agents and brokers. We have one of the members saying this is a useless body, so let's disband it. I'd like to defend that body because I think it has done a heck of a good job trying to maintain some real stability within the insurance industry.

There are some 80,000 insurance people under the so-called Facility Association. Do you know what? I agree with a portion of this bill. Penalize. Let those who are really reckless drivers pay. Absolutely. If you can, get them off the road. I'd like to tell my friend the Minister of Transportation to come up with some stiff penalties for those drivers who day after day continue to abuse the roads and the system that is available to every citizen in our province. Go after those people.

But the funny thing is that too many people, thousands of people, good people, can't afford to buy additional insurance at a reduced coverage. They can't afford and they shouldn't be forced to buy extra insurance or be pushed into the Facility Association because of bad drivers. The system that allots the risk points is very arbitrary and unfair. With all due respect to the member for Mississauga West, it was not even attempted to do anything with it, which means that we leave it up to the insurance industry to carry on and do whatever it wishes to do.

I don't think it's very fair that if you are being charged under the Criminal Code with a criminal offence — that's very serious — you are accorded a four-point risk system, but if you receive two speeding tickets, you're treated the same as a criminal. What is the fairness in this particular situation? Do you know how many good drivers are caught in a situation like this? They are being

treated as criminals, they are being shafted into the Facility Association and their premiums doubled and tripled. They are being treated as criminals solely because they've got a couple of above-the-limit — seven or eight miles — speeding tickets.

I would love you to talk to some of the insurance agents when they have to try to explain to their clients why their insurance is being doubled or why they have to move this client to a new company because now this company has refused to continue to insure this particular person because they have received two tickets in one particular year. I'm asking where the fairness is.

The legislation does not address all of these points. If we wanted to make the system really fair and we wanted to give some real protection to the people of Ontario, the government should — there's still time — rethink its position and say, "We want to have some control." As it is today, any insurance company can tell the Ontario associations that they need an extra 7% or 8%. They do not need their approval because it's not a regulatory body. There they have it.

Eventually, the insured people of Ontario will be saying, "We the people are the government and we should have some control, some mechanism to control the actions of the insurance industry." I hope that prior to the final debate on the bill and the vote, the government will see the light and hopefully make some changes.

Some of the most unacceptable parts of the bill are in the benefits themselves. Much has been said with respect to, "We'll give you the ability to sue." Big deal. Who the heck are you going to sue? If I can't afford to buy proper coverage, I can't afford to sue anybody. Let's not be silly, let's not be ridiculous. Perhaps we in here can go out and buy all the insurance we want, all the protection we want.

Mr Michael A. Brown (Algoma-Manitoulin): Not on our salaries.

Mr Sergio: Not on our salaries. But how are we going to tell someone who may be living on a low income, a single person, a single wage earner, that they are getting reduced benefits at the same premium and if they want to have the extra coverage: "Tough luck. Go out and buy it. Get as much as you want"? How are we going to explain that?

I'll have to ask the member for Cambridge. When he has a problem explaining to his people why he's being assessed two risk points for a speeding ticket, I'd like him to explain to this constituents as well how they're going to afford to buy extra insurance and receive half of the benefits. How can I genuinely go and tell my constituents that the long-term disability, which used to be up to \$1,000 a week, now has been reduced to up to \$400 a week and only — Mr Sampson, I want you to listen to this — if you're classified, if you're defined as totally, wholly, completely unable to work.

I wonder how many people are aware of this particular clause within your legislation or so-called Bill 59. Can you imagine telling the average Joe Worker out there, the single parent, single father or single mother, or whatever, that now they will have to go through a variety of assessments and be classified as totally incapable of doing any work to get a maximum of \$400 a week for

long-term disability? We call this an improvement? Really, do we have the face to meet our people and say this is an improvement? I don't think so.

If the government — and again, I'm not saying this to bash the government side — really wanted to do something and improve the system as it is today, the first thing it should have done was eliminate the 5% tax on insurance premiums which the former government established some three or four years ago. Why didn't they do that? They do not need the insurance industry. This could have been done solely by a stroke of the pen by the minister coming to the House and saying, "This is what I'm going to do." This would have been a wonderful thing. Now instead we are again at the mercy of the insurance industry, and when there is a slight chance, a slight occasion where we can do something for our people out there, we turn our back to them.

What we hear from some insurance companies is that perhaps they will reduce, one time only, some of their rates. It is so wonderful. Those people perhaps would make better politicians than us, because they can put it to us and to our people in such a nice way that makes me very mad. You know why? Because they don't say, "We are going reduce by 8%" or 7% or 3%. "We will consider doing some reduction." Isn't it nice that we have the vice-president of a very large insurance company saying, "Yes, probably we can do a little bit of a cut, but this does not say that in the future we won't have some large increases also." For heaven's sake, this is doubletalk, like slapping the people of Ontario twice in the face. On one hand they say, "We may consider doing some reduction," and then on the next line they say, "This does not preclude us from increasing our premiums by some large amounts." Again, I think our people deserve much better.

2130

I don't want to go into the lack of jobs and unemployment and skyrocketing lines of unemployed people out there, but let me say one thing: We have to really get serious. When people say, "I had to sell my wife's car because we could not afford the insurance," or a young man says, "I had to turn down a job in Scarborough from the fringe of Woodbridge because I couldn't afford the insurance premium," why is that?

If I have time, I want to give you one particular example in which I expressed exactly the same point last Friday to a representative of the insurance industry in my office. He came to me and he said, "I'd like to hear from you what you have against the proposed Bill 59." We spent an hour together and I told him.

I said, "Let me tell you that last year I was parked in a parking lot downtown, opposite 55 John Street, while I was doing some business at Metro Hall. When I came out, somebody had backed into my car, so they did some damage. I went to my police station up on Toryork — that's where we report the accident actually — and I reported it and I got it fixed, whatever the cost was. Then, six months later, I saw my insurance premium going up some \$850.

"Of course, I got on the phone and I called my agent and I said: 'Can you please explain? It's the same car, and I had no problem.' She called me back and she said,

'Oh, well, you failed to report an accident.' I said: 'What are you talking about? I didn't have any accident.'

"After going back for about 10 minutes, she said: 'You got your car fixed. You failed to report an accident you had in a parking lot.' I said, 'Somebody backed into my car and I did report it.' I had to go downtown to the police station and get the record. Indeed, it was reported."

The end result, because my time is quickly running out, was that there was an increase: "We decided to have an increase and there's not much we can do." I cancelled and I found another insurance company for some \$800 cheaper.

This is one example of many, and I wonder, where are the supposed teeth of the so-called ombudsman now which the legislation talks about? Where is the protection the people are going to get when somebody working from the Ontario insurance industry is appointed to supervise itself? Let's get serious. It's like appointing the manager of a bank to look after their own banking business.

Is this really the best we can do for the people of Ontario? I think not. I think we have to really delve into the matter, and I hope the government will, and say we've got to have some controls, we've got to have some protection for the people of Ontario.

My time is up, but the other thing is that seniors are now getting reduced rates. They don't have to put it in the legislation to make it look good. There are plenty of companies. There are banks offering reduced premiums for seniors now, so please, do the seniors a favour and be serious. The industry is already giving quite a reduction to seniors, so we don't need that in the legislation. What we need is some solid protection, some controls that we, as the Legislature, as government, can go back to the public and say we'll make sure that next year or in six months the insurance industry will not be able to raise the premium at will.

The Deputy Speaker: Questions and comments? The Chair recognizes the member for Mississauga West.

Mr Sampson: I want to thank the member for Yorkview for his kind comments. I know he spent a significant amount of time looking at auto insurance because he did bring forward that private member's bill in December, I think it was, to deal with the Facility.

I want to draw his attention to at least a couple of facts that I think he may have missed in his diligent review of the legislation. One is, he was speaking to the fact that one had to be totally disabled to receive \$400 a week, but what he forgot, I think, in his review of the legislation was to focus in on the access one could use through the court system to claim economic loss in excess of the no-fault benefit, if there were one. While indeed it is true that under some situations, after a period of time, the disability payment is, maximum, \$400 net a week, one always has, if they're not at fault or to the portion they're not at fault, the right to use the court system to resolve this dispute — an action, by the way, that the previous government chose to take away; an action, by the way, that you folks on the Liberal side at one time had in legislation.

If you had it then, are you for or against it now? That's what I'm trying to get the sense of, and I can't

quite grasp where you were on that particular issue. I just want to draw your attention to that fact.

The other point is with respect to seniors. The member says that our legislation is directing discounts for seniors. What he again fails to focus in on is that the current Bill 164 requires seniors to buy economic loss compensation in the form of a no-fault benefit up to \$1,000 net a week, when they may not even have any economic loss. Bill 164 is saying, "I want you to pay all this money for something I know you'll never use." We've said, "Pay for something you'll use." That will benefit seniors.

Mr Gravelle: I also want to compliment the member for Yorkview for his remarks just a few minutes ago. He deserves a great deal of praise for the amount of work he's put into the whole question of auto insurance, and certainly there's a lot of work that needs to be done.

Again, I want to take this opportunity to mention some comments made by some of my constituents who are very concerned about the issue.

Alan and Susan Hall: After a 14-year, accident-free driving record, Susan Hall had two slight mishaps — making an improper turn, which led to a minor accident, and a charge for going through an amber light. As a result, her rates jumped from \$643 to \$3,000 a year, the Facility level, which is extraordinary and just seems completely unacceptable. She also apparently had to sign a waiver that she would not drive her husband's vehicle.

Ed Stankey from Kaministiquia expresses great concern, as they all do, in terms of the fact that if you drop your vehicle insurance for one year and decide to go back to it, you then are put in the high-risk category for not having had insurance for one year. Mr Stankey, like others, goes on in great detail.

Alice Nugent from Crescent Avenue from my riding is very concerned about the factors by which they determine risk points. If you reach the four-point risk point, you're put into the category of being a high-risk driver again. There are so many elements that upset people, and they've given me great detail and I appreciate that.

Mr Alan Keeler, on County Boulevard from my riding, makes the point that the member for Yorkview made, that the 5% sales tax on insurance should be dropped, much as we recommended when we ran in the last campaign.

Back to Simon D.I. from my riding, whom I spoke of earlier: He makes the recommendation that accidents should be classified as minor, medium or serious. Under the current regulation, two minor accidents with little damage means a payout disaster to the driver in terms of an incredibly high insurance premium.

We have lots of constituents, lots of people in our province with many fine ideas and I'm certainly proud to be up here to represent them.

Mr Bradley: I enjoyed the last speech very much. I was monitoring it very carefully. The member was kind enough previously in the Legislative Assembly to use his private member's time on a Thursday morning to bring in a bill that dealt with automobile insurance — a bill, by the way, that almost passed, except that the government members, of course, were not progressive enough to support that piece of legislation. But I did enjoy some of the problems that he brought to our attention and the fact

that this bill doesn't address everything. He was complimentary where he had to be complimentary.

2140

The member for Cochrane North was up in the House earlier urging NDP voters to get out in Hamilton East. He tried hard.

Mr Sampson: We know what happened.

Mr Bradley: No, he was. I'm not being provocative. He was urging them earlier to get out. The problem was that not enough people watch this channel during the supper hour. As a result, not enough were urged to get out and, alas, Ms Copps has been returned by a two-to-one margin in Hamilton East. But that doesn't have anything to do with the bill and you'll want to direct me to the bill and the speech that was made.

Mr Sampson: What does that mean about GST?

Mr Bradley: Well, I understand the Reform Party was second.

Ms Marilyn Churley (Riverdale): No, no, the NDP was second.

Mr Bradley: Is the NDP now second? Well, thank goodness.

Anyway, a very good speech; it touched on many of the issues I want to touch on later on in the evening, if I get a chance to speak. The Attorney General is sitting there waiting for me to speak on this issue. I don't want to disappoint him. Perhaps closer to midnight I may offer a suggestion or two on this legislation.

The Deputy Speaker: The member's time has expired. The member for Yorkview has two minutes to wrap up.

Mr Sergio: I'll take the two minutes quite willingly to thank the members who have taken the time to respond to my presentation on Bill 59 with respect to especially the member for Port Arthur, the member for Mississauga West, Mr Sampson, as well as the member for St Catharines.

I believe there is only one person who knows best the needs, and that's the insured person himself or herself. I hope my comments will serve to analyse, crystallize or sensitize some of the problem areas I see on behalf of the people whom I represent and that the government will take heed and hopefully bring some changes to the legislation before it is passed by the House.

I feel quite at ease with the comment by Mr Sampson, because he recognized that there are some problems associated with the present proposal, Bill 59, and especially with the seniors' insurance. That is one area that is very grey. There is the temporary lapse issue, and of course it's a very grey area. I hope they will be able to clarify that. New drivers are a very serious concern out there and I think we have to do our bit to try and assist those people as much as we can in the early years when they try and get on and establish themselves in the workforce.

Those are the concerns I have brought to the attention of the government that I feel are general, in that they're not restricted solely to my area but of great concern throughout Ontario. I'd hope that some of this concern could be taken into consideration prior to the government approving the legislation.

The Deputy Speaker: Further debate?

Ms Annamarie Castrilli (Downsview): My colleagues have spoken at length on this legislation. I want to limit my remarks to a few comments on some issues of interest that I certainly have heard about and experienced.

The purpose of auto insurance is to balance the interests of consumers both as payors of premiums and as accident victims. The system must enjoy public confidence, but it can only do that if it's fair in terms of premiums and compensation. The full tort system didn't achieve this. We had some of our highest premiums in the 1980s and there was a huge consumer backlash. Bill 164 under the NDP certainly did not achieve this. The premiums that were paid under that legislation were excessive. Premiums jumped 10.6% in 1994 and 11.3% in 1995, and this at a time when inflation was only 3%.

The question is whether Bill 59 will achieve this fairness. I'll remind the members of the Legislature that it was under the Ontario motorist protection plan introduced by the Liberals that premiums finally stabilized, according to the insurance industry. Royal Insurance reduced its premiums by 6% under OMPP. Will Bill 59 do this? We will see.

Let me touch on a few issues. The first of these deals with rates. Some insurance companies have testified that rates would stabilize or go down under this legislation. In a Toronto Star article, Dominion of Canada representative George Cooke indicated that his company will be scrapping plans for a rate hike of 9% to 10% and will look for ways to cut rates, particularly for drivers with clean records.

Royal Insurance, in testimony before the finance and economics committee, indicated that it had planned to scrap its rate increase for 1996 and would commit to maintaining its current average rate levels through 1996 and 1997.

Others just talked to us about rate stability. They never did define what "rate stability" means, and one is hard-pressed to know what that means when the insurance companies under Bill 164 managed to produce increases in excess of 40% over two years.

Consumers too testified before the finance and economics committee about extra premiums and the exorbitant price of premiums. I'd like to quote some of the comments that we heard before the committee.

The Canadian Federation of Independent Business — which by the way represents members in the auto insurance both as business and personal consumers, and many of its members are directly involved in the insurance business, including brokers, adjusters, lawyers and medical practitioners — stated that its major concern about auto insurance is high premiums.

Seniors testified that they were particularly concerned about the high cost of auto insurance, and since many of them live on fixed income this is a particular problem, as has also been indicated by my colleague the member for Yorkview.

People in the north talked to us about the hardships of living in the north and having to travel great distances and having no public transit available to them and therefore being at the mercy of insurance companies and the high premiums they were required to pay.

Finally, as just a small sampling of the discussions that we heard on this subject, the Canadian Automobile Association told us that if premiums continued to go up at the rate at which they've been escalating in Ontario, it predicted that more drivers would opt to drive without insurance — a very serious matter indeed.

Rates clearly are foremost in the minds of consumers. If this legislation does not deliver on lower rates, there will be a public outcry. The government has set very high standards and expectations, and the public expects it to deliver on them.

The second point I want to make is with regard to the Facility Association. We've heard quite a bit about Facility Association. I was particularly struck during the committee hearings by the number of people from whom we heard who had extremely good driving records, who for one reason or another found themselves in the Facility Association paying exorbitant fees. Some of the examples would shock you.

An executive who's relocated to the United States for reasons of work sells his car — no accidents, no speeding tickets, just doesn't have a car in Canada for a year — comes back and is forced into the Facility Association because he has no driving record and no car. A driver who sells his car for whatever reason but does not purchase another one for six months — again, no accidents, no speeding tickets, no infractions of any kind — he too finds himself in the Facility Association paying exorbitant fees. Facility rates prior to this legislation used to be higher than the fines for those who drove without insurance. That I think is something which has been remedied, and I must say it's something which I support.

2150

The difficulty with this legislation, however, is that while it speaks to the Facility Association, it hasn't set any timetables for when anything will be put in place and leaves the issue of reform of the Facility Association, or recommendations with respect to that, still very much up in the air. Again I say to the government that it's essential, in the interest of fairness, not to brand good drivers and penalize them. The public will simply not stand for it.

A third issue that has been touched upon but again bears talking about is the issue of the designated assessment centres. A number of witnesses came before our committee to indicate that the DACs were not helpful, that indeed they only added to the level of bureaucracy and to the unfairness of the system. If I can just quote some of the comments that were made, and these were made both by professionals working in the industry as well as individuals, comments such as: "The current DAC system should be scrapped." "The current DAC system is unwieldy and should be replaced." "The DAC system should be eliminated." Clearly it's an area of extreme concern which has created many difficulties for people, particularly people living in the outlying areas, and it's something that I notice the government has not really remedied in its new draft. I would urge them to look at that for the future.

The issue of the ombudsman I think will be welcomed by a number of people. I think we might term it ombuds-person, but beyond that I think there are many consumers

who are extremely concerned about the way they are treated once they have a motor vehicle accident. The ability to be able to appeal and to go to an ombudsman is certainly one that would be welcomed by many. The problem is that the ombudsperson in this legislation must be given real clout and real teeth to be able to fight with a system which is large, which is bureaucratic, which is unwieldy and which has a tremendous might which it can bear against an individual. Again to the government I would say, make sure that if you're putting an ombuds-person in place that it be given real authority to deal with the issue and it not be simply window dressing.

Let me say to the government too that I applaud the anti-fraud measures that I see in the legislation, most of which, by the way, came as a result of evidence we heard during the public process. This speaks very highly of the importance of public hearings, of the importance of public input, of the importance of the democratic process followed to its fullest. Without the benefit of the testimony that we had before us in committee, we would not have had those here, as too we would not have had in this piece of legislation the very excellent work that was done by my colleague from Yorkview, Mario Sergio, as a result of his private member's bill.

Finally, I want to talk about the victims, the very many victims who came to see us here in Toronto, in Thunder Bay, in Sault Ste Marie, in Ottawa, who told horrendous tales of having to fight with their insurers simply to be recognized as individuals who had suffered, individuals who, quite frankly, indicated with great clarity what some of the difficulties are. One victim asked a very interesting question, that the motor vehicle victim is in double jeopardy. She said, "You survive the crash, but can you survive the motor vehicle accident process?"

I think David Tier, one of the participants who came I believe to see us in Sault Ste Marie, said it best when he said to us as a committee, and I would urge the government members to remember this, "I urge you to remember that the reason for the premiums is the protection of the injured parties" — and I would add not merely a question of profit for some — "...please test your decisions against this central mission."

The test of this legislation must be fairness. Fairness is paramount to consumers, to victims, and in the public interest. Innocent victims and good drivers cannot and must not be penalized or sacrificed to a system that is unresponsive, that seeks to minimize injuries and good driving records, that costs too much and gives too little. The people of Ontario expect no less than fairness, and we will be watching to ensure that they receive no less.

The Deputy Speaker: Questions and comments? The Chair recognizes the member for —

Mr Patten: Ottawa Centre. I know the time is getting late and it's difficult to identify from whence members come.

I would like to congratulate my colleagues from Downsview and Yorkview for the effort they have put in and the issues they have identified.

The member for Downsview says that the basis of any automobile insurance of course is based on public confidence and fairness. I believe that is true. She proceeded to identify a variety of areas that one must

acknowledge and a variety of areas in which there may be some question.

On that note, I would like to spend the very short time I have addressing what the members from Yorkview and Downsview addressed, and that was the Facility Association. I think this is the sleeper of the legislation; absolutely no controls. What a wonderful business opportunity this is, to agree among a variety of insurance companies, with no controls, to suddenly say, "These particular groups of drivers should be in the Facility Association that we control as businesses and get profits back from." Can you imagine what a sweetheart deal that is? What is their accountability? Does the Facility Association produce an audited report, an annual report, some kind of accountability? What I hear is, it does not. I believe there's an important role, at least a reportability that should be there to avoid what can be an incentive for greed.

I understand in most recent months the Facility has begun to deplete some of its members, but how long will that last? What is the responsibility and what is the accountability of the Facility? I urge the government to revisit that particular point — the Facility Association's accountability — because there are a lot of people who are being dealt with unfairly by being put in there.

The Deputy Speaker: Does the member for Downsview wish two minutes to wind up?

Ms Castrilli: I concur with the comments made by my colleague who just spoke. I guess I would simply reiterate to the government that there are great expectations of this legislation; that people will not support a system that does not appear to be in their best interests; that people will in fact raise a hue and cry if they are subjected to the same kinds of fluctuations in rates and premiums that we have seen, if they are forced into the Facility Association without any rhyme or reason, if they are not given the kinds of services they expect when they buy insurance.

This is, after all, insurance, and one of the things we've heard in the course of our travels is that quite often it isn't seen that way. Once you have an accident, you are not seen as a person who paid for insurance and therefore is entitled to some services back; you are seen as the enemy. Surely that cannot be allowed to continue. Surely we cannot have a system where we pay more and we receive less. The government must be very careful to ensure that that is neither the reality nor the perception that people have. If you do not, you will certainly hear from the public of Ontario.

2200

The Deputy Speaker: Further debate?

Mr Bradley: I'm endeavouring to tie this into the tax break. I think it must be associated in some way with the tax break. I'll see if I can work that in a little later, but at this time I want to discuss the problems we encounter with auto insurance, the problems which have been brought to my attention as a local representative.

First of all, when we're dealing with auto insurance we all know there is only one choice that one can make, and it's a difficult balance to reach. Either you're going to have very low premiums and a low payout if a person requires that payout as a result of a claim, or you're

going to get high premiums and a high payout. It's virtually impossible for a government to come up with a scheme which allows for low premiums and high payouts.

I think one of the advantages we had, and the government again probably learned its lesson from Bill 26, was that instead of simply ramming this legislation through, having encountered the experience with Bill 26, the government decided to have hearings across the province. My colleagues who sat on the committee said that's a worthwhile experience because it allowed them to hear on a firsthand basis from some of the people who were commenting on the potential for another piece of legislation dealing with automobile insurance.

As previous speakers have outlined, this is never an easy subject to deal with. I just caution the members of the government who applaud loudly now not to applaud quite so loudly, because you may find that somehow, somewhere along the line, it will fall apart, that either there will be severe complaints about the amount of the payout for those who have claims or, more likely, you'll have some significant complaints about increases in automobile insurance rates. This won't happen initially, because the insurance companies, having secured from the government some significant concessions, have to have a payback for the government by announcing that they are going to have some decreases. As some of my colleagues have pointed out, however, this is only after substantial and sustained increases over the past few years, so that it's not as benevolent, not as generous, as perhaps the people in the insurance companies would like to suggest to you, because they are cutting from a very high rate. Nevertheless, I think all of us are delighted to see any decrease in terms of premiums and we'll be looking for further decreases as we go down the line and will be asking the minister about that at the appropriate time.

Several members have talked about the Facility. I must, without going into the detail some of the members did, caution the government about the Facility and the ease with which insurance companies have been able to bounce people into that. Some people do a lot of driving, so for those who don't do much driving and have a bad record, I suppose one would say they may be deserving of being placed in the Facility, where they have to pay huge premiums. But for those who drive a lot, drive a substantial amount of time and distance, one would say it is likely unfair, for relatively minor reasons, to be taking them from an insurance company and placing them in the Facility, because the cost is rather horrendous.

That's where you get people who will start driving without insurance. I know you're going to increase the fine to a big-time fine. The problem with fines — and I know this is never easy any way you look at it — is that a rich person can pay the fine and a person who isn't rich can't pay the fine, and if the alternative is to be bounced into jail, it means the rich person is less likely to go to jail than the poor person. Welcome to Mike Harris's Ontario, because that's the way things are going to be in Ontario. If you're rich and you're privileged, then you're in great shape in this province, and if you've got money and you've got position and you've got power and you've got influence, then you're going to cope very well. Be

that as it may, that is the Ontario we are seeing in this year of 1996 and beyond.

There is a problem for people who let their insurance lapse. For whatever reason it is, some people have let their insurance lapse because they have not been able to drive. They perhaps couldn't afford to drive; they perhaps had a health problem that did not allow them to drive. They come back to get insurance a year and a half later and find out they're treated as a brand-new driver with a huge premium increase, and that has happened consistently. I hope this legislation will address that matter. I will be sceptical until I see that actually happen, because that has been one problem.

Interjection: Lots of sceptics.

Mr Bradley: Yes, there are sceptics, and for good reason. We've observed this for some period of time.

The premium increases of course make it expensive to drive in this province. Again, if you're a rich person, those premiums don't hurt you as much as if you're a person of modest income, and therefore again the rich will tend to benefit more than people of modest means.

One of the areas that my friend from Renfrew North addressed was some of the fraud that takes place. I think where we align ourselves as legislators for the most part with insurance companies is in trying to eliminate fraud, because fraud will ultimately be reflected in the premium. We have, of course, many people who are in the automotive repair business in this province. The overwhelming majority are honest people who would never charge more than they're supposed to charge and would never ask anybody going into the garage whether this is being paid for by the insurance company or by themselves. That just would never happen, I know, except in exceptional cases.

However, what you people in the government benches have to realize is that your zealots who are interested in dismembering the Ministry of Consumer and Commercial Relations are going to take away the people who used to police that: the inspectors, the ghost cars, as they used to call them, who used to go into the garages and would try to determine whether there was any fraud being carried out in those garages. Well, you people know best: Let business do what business does best. So you're going to let them get away with it, and the good people in the business will be tarred with the same brush as the bad people. But that's what you're taking away. Know when you're cutting, know when you hear the zealous speeches in this House by some of the extreme right-wingers who want to get rid of all government, that that's what you're getting rid of in the Ministry of Consumer and Commercial Relations. Frank Drea, when he was minister, used to talk about these, the ghost cars which have provided good service, along with the people who drove them in, to determine whether there was fraud taking place. You want to eliminate that fraud because that fraud will be reflected in increased premiums.

Another group you may wish to talk to — and from time to time I ask the Minister of Economic Development, Trade and Tourism, the Minister of Consumer and Commercial Relations and the Premier, all of whom have great connections with business, particularly big business in this province, if they will not speak to their friends, even if it's at the Tory fund-raiser, if they will speak to

their wealthy friends and say, "Is there some way you can give the taxpayers a break?"

For instance, all of us have had this experience. We go into the automobile dealership and ask to replace a part. You know that if they ring in the cash register anything under \$100, it seizes. It simply will not ring in a bill under \$100. I remember I had a lightbulb that had to be replaced on the side of a car. I thought it was \$5, and the person said: "Oh, we replaced it. That's \$105." Well, I had them take the lightbulb out or whatever it was, and I'll take the money back and leave the bulb dark, because it was only a bulb for decoration; it wasn't for safety purposes. For safety purposes, I'd have to do it.

Mr Doug Galt (Northumberland): Expensive car.

Mr Bradley: A very modest vehicle it was as well, I must tell the member for Northumberland: a modest vehicle, several years old.

Mr Hastings: I thought you took the bus.

Mr Bradley: Well, I do. The member for Etobicoke-Rexdale says, "I thought you took the bus." I do take the bus. When I was Minister of the Environment, for instance, I would wait for the bus out here at the corner, take it up to the Ministry of the Environment, and I'll tell you, the service was very good. I want to thank the TTC. Unlike the Minister of Transportation, who is busy raking the Minister of Municipal Affairs and Housing over the coals because when he was at the TTC the Minister of Municipal Affairs, Mr Leach, was the manager and he said it ran very well. I thought it ran quite well as well. I was surprised to hear the Minister of Transportation being critical of Mr Leach and of Mr Johnson, who used to be the budget chief, I think, on the TTC. So I listened to that exchange going on. I'm glad the member for Etobicoke-Rexdale interjected, because it reminded me of that.

2210

But anyway, to get back to the cost, one of the reasons it costs a lot for insurance is that every time you go into the dealership, whether it's General Motors — I'll get a letter from them; the last time I mentioned General Motors I got a letter from them saying, "How dare you mention General Motors in a critical way?" But General Motors, Ford, Chrysler or any of the other companies out there that are offshore companies that have plants here, they all know how to charge; they know how to charge for parts. So if you touch someone's bumper in front of you, that is good for about \$800. Now, you'd look at it, and you'd say, "Oh, that's about \$50 to fix that." No such thing. You touch any part of the car, and they must replace the whole assembly. That's one of the costs. That's where the people who are in the insurance business — I'll agree with them — that's where one of the substantial costs is.

One of the members speaking earlier — I imagine there are several insurance men and lawyers on the government benches — but they mentioned their experience with it. They know that this kind of fraud drives up the premiums. So I want to stand shoulder to shoulder with them in trying to eliminate the gouging of the consumer and the fraud that takes place, because I think that will help us out.

The restoration of the right to sue will cost a little more money. I don't know how much, because it's balanced off in the legislation with some other changes. So I want to watch that to see. I want to be fair enough to say that I can't pass judgement on the new right to sue that you have. That may well balance out quite nicely and work out. So I think, in fairness, I'd like to observe how that works before I would offer any criticism or praise of that.

Some of the medical costs were mentioned as well. My friend the member for Renfrew North mentioned that often the first question one gets upon arriving at the clinic is, "What kind of insurance do you have?" Then you end up with perhaps a little more of a cost to the insurance company than might have been the case.

I've already mentioned fund-raisers, but I must give you people credit; you know how to get a crowd at a fund-raiser. I look at every piece of legislation you have, and that's bound to increase the crowd at the fund-raisers, because you've let the lawyers in the door again. So the lawyers will be happy; they'll be showing up. Charlie had one the other night; a good fund-raiser, no doubt. I'm sure many members of his profession were in attendance there.

Mr Beaubien: I saw you there.

Mr Bradley: I'm not a lawyer, so I couldn't go.

Hon Mr Harnick: I'd be happy to have you, Jim.

Mr Bradley: I would have been happy to attend, but I'm allergic to caviar and — what are the other expensive foods?

Mr Sergio: Lobster.

Mr Bradley: Lobster.

Ms Castrilli: Champagne.

Mr Bradley: Champagne. Besides, they won't let me into the Albany Club. They just won't let me into the Albany Club.

Anyway, you people know how to raise the funds. You pass the legislation, out come the insurance men, out come the lawyers. Then they pass other legislation. My friend Frank is going to deregulate down there, so the businessmen are going to be coming out to his fund-raiser now. So I'm going to ask Frank for his fund-raising list if he'll send it to me. I don't know how many will come, but he'll have a good list now.

Mr Hastings: I hear you started a new club, the St Catharines Club, one member.

Mr Bradley: There is a St Catharines Club. I am not a member, I can assure you. I couldn't afford that high stipend, particularly with the decrease we've had in pay in this Legislature. You know the Premier said our pay was decreased.

Mr Martin: Doesn't your riding association pick that up?

Mr Bradley: No, my riding association does not.

Now, trucks: One of the problems, and this is where I think he's been stampeded into it, but the minister of trucks and cars and transportation has been —

Mr Clement: Planes, trains and automobiles.

Mr Bradley: Yes, planes, trains and automobiles, suggested by the member for Brampton — North?

Mr Clement: South.

Mr Bradley: South. I knew it was one of the two.

But anyway, the truck safety problem. There are a lot of good truckers on the road out there. We all know that. However, there are a lot of vehicles —

Hon Mr Harnick: Sounds like Bradley is getting ready to have another fund-raiser.

Mr Bradley: Oh, yes, here's another fund-raiser. There are a lot of vehicles out there that are suspect. In fact, I heard the police the other day say they're ticking time bombs. Everybody uses that one now, ticking time bombs, and we have had some extremely unfortunate accidents that have happened on the highway.

I know when you start laying off inspectors in the Ministry of Transportation, you'll have fewer people to be able to inspect those vehicles. That will be most unfortunate because of the volume of trucks we've seen on highways lately. We've seen far more trucks in accidents on the highways of this province than we used to see.

Mr Frank Klees (York-Mackenzie): Dodging potholes.

Mr Bradley: You're right. It's because sometimes they're dodging the potholes, it's suggested. That is true. I have not found a personal problem with potholes for a certain reason, but other people do have problems with potholes. I was in eastern Ontario and they had potholes in the potholes in eastern Ontario. I could see how the trucks were swerving back and forth to avoid those potholes. So that problem will have to be solved, but I know you're cutting that budget as well.

We want to make our roads safe. I think truck safety is going to be an important component of that, particularly those vehicles that are coming in from the United States. It must be the Americans, it can't be our good Canadian trucking firms, although I have heard of a couple of a trucking firms now that come to mind that were a problem, but I don't want to get into that tonight. But that's another important thing, safety of the roads in the province, and we are going to have to find solutions to that.

The police are out embarking upon an exercise this week and next of going after dangerous drivers. As I mentioned in a two-minute speech earlier, I hope that indeed they are going after dangerous drivers and not simply out there to gather more revenue, which of course is the speeders, because there are those people called left-lane bandits who sit in the left lane at several miles an hour less than the speed limit, poking along in the left lane and infuriating people so that they're passing on the right, or getting on a two-lane highway and poking along at several miles an hour below the speed limit and having people dart around them. If one learns the proper driving habits, we have three lanes on some of our highways, two lanes on some of our highways. There is an opportunity to pull over and let vehicles pass.

I think that's another component of safety as well. We don't want those people who are going ridiculously fast to be causing problems. We don't want the people who tailgate or switch lanes or use the shoulders or do all those things which are dangerous, because they are eventually going to cause accidents which are going to cost insurance companies money, and that will again be reflected in the premiums.

What insurance companies have, and this is a bit of a problem, is a captive audience. I know it will be said that there is plenty of competition in the automobile insurance business. I guess there is competition in the business.

Mr Hastings: Talk about Ontario Hydro.

Mr Bradley: Ontario Hydro: I will come to that, if you like, in just a moment.

Interjections.

Mr Bradley: Your fellow members, though, are becoming angry with you because you're reminding me of new areas to which I can branch. But anyway, let me go back to the captive audience.

Because automobile insurance is compulsory, then people are forced to have automobile insurance if they're going to drive a vehicle. If you're going to simply not look at the increase in premiums, if it happens, you're not going to have any control at all over premium increases, and then you're going to find that some people are going to be forced off the highway. Why? Because of driving habits, probably not; more because they don't have the money. But again, the crowd from the Albany Club will be fine. They will be able to continue to drive the roads. The Jaguars will be out there, the Cadillacs will be out there and so on but not the people who are driving vehicles of lesser value or at least have an income that is lower than that.

2220

Another option is government automobile insurance. Some of my friends in the NDP are now coming back to that. I was listening to some great speeches in the House the other day about government automobile insurance. I thought they were going to bring in government automobile insurance because it was in their platform and it is popular, I'm told, in some provinces. My friends in the NDP tell me that in Manitoba and Saskatchewan and British Columbia, where they have government automobile insurance, when they've had right-wing governments take over they haven't gotten rid of the automobile insurance, which is government-run. It did not happen in Ontario because the NDP didn't bring it in.

It's a reminder to those in the insurance business that if things were to go the way the government doesn't want, and the consumers and the industry don't want, the call for government auto insurance would come forward again. I don't know if any government would ever proceed with it, but the pressure would grow. That's why it's in the interests of the insurance companies to ensure that they are providing fair premiums and a good product to the people in this province.

I wish the government well on this. I'm not wishing you lack of success. From an opposition point of view there are a lot of people who believe the opposition hope everything bad happens. That's not true. I like to see the government successful in some fields. I hope you're not successful politically, but I want to see you successful in other ways because it's good for the province as a whole.

We'll be watching, as an opposition, to ensure that the rates go into reverse and that innocent victims and safe drivers aren't taking a back seat to insurance company profits. We'll be watching the government and the industry very closely over the next two years to make sure the rates move downward. After all, the NDP's Bill

164 produced increases in excess of 40% over two years — or at least they went up that much; I can't say whether they were as a result of Bill 164 alone by any means. A one-time reduction of 3% to 5% is little for drivers who have had their premiums rise by seven or eight times that amount.

I notice the Conservative Party, which likes to take taxes off, did not choose to take the tax off insurance premiums. I sat in this House with the Conservative Party sitting to my left, believe it or not. They were at one time saying: "This is bad for the province. We should take off the tax on insurance premiums." I have noted that this is forgotten.

Mr Ford: You blame us for giving a tax cut and then you blame us for not taking off the tax.

Mr Bradley: No, no. I will get to that point now. This is what leads me into the tax cut. The member for Etobicoke-Rexdale was wondering how I could work the tax cut into it; that's how I have. The reason the government is unable to cut the 5% tax on the insurance premiums is because it has already cut the income tax by 30%, benefiting, of course, the most wealthy in our society with that tax cut. If it were on insurance premiums, everybody would benefit equally, but the income tax cut of 30% benefits the rich the most in the province. I understand why you have not removed the tax. I'm a very understanding individual and I understand that it's all related to the tax cut, which will force you to borrow over \$13 billion additional in order that you can give that money back to me and to the chief government whip and to everyone else in the province. There are many economists in this province of a Conservative bent who are certainly questioning that at this time.

I've mentioned the other irritants to the driving public, which include the rating system imposed by the Facility Association. The parliamentary assistant has assured me with nods on the other side — I don't know whether he was nodding in agreement or nodding off during my speech, but I think he was nodding in agreement that the problems with Facility would be addressed by this legislation, although my friend Mario Sergio, the member for Yorkview, was good enough to bring before this House an opportunity to make those changes.

One of the ideas that may be of some benefit, have some potential, is the idea of creating a new insurance Ombudsman at the Ontario Insurance Commission to investigate consumer complaints. That Ombudsman must have appropriate staff, jurisdiction and authority if she or he is going to be successful. I'm surprised they were able to get that provision past the member for Etobicoke-Rexdale, who I have thought would have resisted another Ombudsperson in this position.

It says here that you're going to be able to speed up approval of rate increases through the OIC — that must be the Ontario Insurance Commission — providing they are at or below benchmarks set out in regulations. I know they will be pleased to get those increases more quickly. I'm not convinced that the driving public will be as happy about that as the insurance companies.

I did not want to use the full half-hour allocated.

Interjection: Go ahead, please. We insist.

Mr Flaherty: You are doing all right.

Hon Mr Harnick: You can quit now.

Mr Bradley: It is getting late. I know the people at home are aware that members are now sitting potentially till midnight every night to deal with legislation, to be accommodating to the government, because while we are often accused of being obstructionists, we want to simply ensure that there's a full and frank debate on all of the important legislation coming forward, and even the legislation of less importance than we would rate this particular bill.

There are further pieces of legislation that may require comments from the opposition and the government, such as the merging of OISE and the University of Toronto, a matter of great importance. I did indicate to the former Treasurer of this province, Mr Nixon, that you would be carrying out yet another of his wishes when you would be doing that. But we will discuss that later.

I simply wish you well. I wish the member for Mississauga West well. He's upwardly mobile; at least hopes he is. Some of the members who are already in the cabinet are not so anxious to see you doing so well with this piece of legislation because we know in the summer there will be a shuffle.

I can always tell there's a shuffle because whenever the Premier tells a joke of any kind, there are people falling out of their chairs. The member for Burlington South almost fell on the floor laughing at one of the jokes of the Premier's as he went by today. I would not want to see the Premier stop too quickly, because there could be an accident when he is walking through this House.

Anyway, I wish you well. I'm not a malicious person. I wish you well, Mr Sampson, in your insurance endeavours and your boss, Mr Eves.

Mr Clement: Okay, we will sponsor you to the Albany Club.

Mr Bradley: I hope you do well, and I know once this bill is finally passed and all of it's formed and proclaimed, the champagne glasses will be tinkling at the Albany Club.

The Acting Speaker (Ms Marilyn Churley): Questions or comments?

Mr Crozier: I always want to add to the comments of my colleague the member for St Catharines because he can add to any debate in the House no matter what the subject. He raised something that's very important and I would ask one of the government members who may know —

Interjection.

Mr Crozier: No, I'm asking a question of one of the government members who may know. That is, road safety is directly linked to insurance and the cost of insurance. I've heard in the last couple of days that there is this safety blitz going on and, not surprisingly so, there's a 1-800 number, that if you're following an aggressive driver, a speeding driver, a reckless driver, you can call in their licence plate number.

Mr Bradley: Another snitch line.

Mr Crozier: Is anybody on the government side able to tell me, now that you've reduced enforcement on the roads and you have to resort to another snitch line, can you possibly tell me what happens if someone phones in

and reports an aggressive driver and their licence number?

2230

The Acting Speaker: Further questions or comments?

Mr Klees: In response to the member for Essex South, I am pleased to respond to his question as to what happens. What will happen is that the OPP will respond. The reason I can tell you that is that I personally was following a careless driver just two days ago. I made a call to the police and reported this erratic driving. The OPP responded and dispatched a patrol car, stopped that driver, and charged that driver with careless driving.

I will be pleased to appear in court and give my testimony as to the careless driving that was taking place, because it's precisely that kind of action that we believe is responsible response from the citizens in this province who want to become part of the solution, not simply part of the problem. And we believe that innocent families, who would otherwise be in danger of their lives, will in fact be protected.

I think it's high time that rather than be critical, as the member for Essex South is, when this government invites citizens from across the province to participate in doing something responsible, we should together encourage each other to become part of the solution, as I know the honourable member for Essex South would want to be as well, and I would challenge him, the next time he follows a careless driver, pick up your phone, call 911, report the fact —

Mr Crozier: We don't all have cell phones.

Mr Klees: Well, then pull over and use Bell Telephone — call 911, report that careless driver, and see that justice is done.

Mr Michael Brown: I too was quite interested in the comments of the member for St Catharines. I think one of the issues that has been brought to my office on numerous occasions is this question of Facility, and it's a question of how many drivers are put into Facility often for reasons that are quite beyond their control. It seems to me that it bothered not only the drivers that were now going to pay outrageous rates, but it bothered the insurance brokers. I was contacted by numerous brokers in the constituency that were quite appalled that they were having to charge the kind of rates to drivers that they knew were responsible and knew that they had been treated badly by the insurance system because they were put into the Facility, sometimes for the most obscure of all reasons. I really believe it's an issue that drivers really need some relief from, and I don't see how that is going to be addressed in this particular piece of legislation.

The other problem I think we all are aware of is that the benefits that will be paid on a weekly basis will only be paid if other insurances are exhausted; if I'm correct. I believe that. For example, if you are in a commercial business and you have a truck and it's involved in an accident, do you know what happens? You end up with a WCB claim instead of an insurance claim, even though the accident may not have been at all your fault. I think that's one of the issues government needs to address, that in an accident in which the driver is not at fault you might be on the hook for additional WCB payments.

Mr Bradley: I didn't think I was going to be responding, but I will rise to the occasion and mention, first of all — the member for York-Mackenzie, we have found out now, has a cell phone in his car and he certainly fits the stereotype that the Minister of Transportation endeavoured to paint of people in this province who all had cell phones. There are many people I know of modest income in this province who certainly don't have cell phones and could not afford those.

The other point I want to make with this is, I'm of two minds with snitch lines. One of the problems is they're open to abuse. I could simply pick out a government licence number like ONT and whatever the last part of it is — it has one of those checkered stickers on it and that means it's a government licence plate — and phone in and say it was zigzagging all over the road and driving recklessly, and I could do it maliciously.

Interjection: You would never do that.

Mr Bradley: I would never do that because I'm not that kind of person, but if there were people who were angry with the Attorney General, for instance, they could do it with his vehicle and claim he was speeding.

I'm wondering if the member for York-Mackenzie when he phoned said, "This is an MPP calling," or whether he just said it was a private citizen, because I'm always interested in whether people of privilege get a different response than average people in the province, and I'm always concerned that people of position and privilege use that privilege and that position to get special consideration from people in authority. So I trust the member did not say he was an MPP when he was calling.

I appreciate all of the other comments I've heard as well that were in agreement with it and I look forward to participating in the next debate on the OISE-U of T merger.

The Acting Speaker: Further debate? Seeing none, would the parliamentary assistant like to sum up?

Mr Sampson: No, Madam Speaker.

The Acting Speaker: Mr Sampson has moved second reading of Bill 59.

Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members; a five-minute bell.

Mr David Turnbull (York Mills): Madam Speaker, I believe we have unanimous consent to hold this vote immediately before orders of the day tomorrow. With the previous deferred vote I misspoke myself. It should also be immediately before orders of the day.

The Acting Speaker: Agreed? Agreed.

ONTARIO INSTITUTE FOR
STUDIES IN EDUCATION
REPEAL ACT, 1996

LOI DE 1996 ABROGEANT LA LOI
SUR L'INSTITUT D'ÉTUDES PÉDAGOGIQUES
DE L'ONTARIO

Mr Skarica, on behalf of Mr Snobelen, moved third reading of the following bill:

Bill 45, An Act to repeal the Ontario Institute for Studies in Education Act and transfer assets to the University of Toronto / Projet de loi 45, Loi abrogeant la Loi sur l'Institut d'études pédagogiques de l'Ontario et transférant l'actif de l'Institut à l'Université de Toronto.

The Acting Speaker (Ms Marilyn Churley): Mr Skarica has moved third reading of Bill 45. Mr Skarica, would you like to make a few comments?

Mr Toni Skarica (Wentworth North): I have a very brief speech where I'd like to make four points.

(1) This legislation will save Ontario taxpayers some \$10 million over the next 10 years.

(2) I would like to quote from the budget presented in 1985 by the Honourable Robert Nixon, Treasurer of Ontario, "As a step towards eliminating duplication in the public sector, the government will transfer the Ontario Institute for Studies in Education to the University of Toronto." Five years later and \$10 billion in debt later, it did not occur. Back then the speeches had no time limit and perhaps the member for St Catharines was making all the speeches.

(3) The NDP government took over in 1990 and Mr Cooke, the Minister of Education, stated, "Given the limited public dollars, an integrated institution might be better equipped to meet the challenges of preparing for the 21st century and realizing the missions of your respective institutions than would be the case if you stay apart." Five years later and \$50 billion of debt later, no integration.

(4) Finally, our government took over in power one year ago and now in one year we're at the point where all that is needed to complete the integration is the passage of Bill 45. Every day this bill is delayed costs the taxpayer \$2,700, and the only question I have is, why did it take 11 years for us to get here?

The Acting Speaker: Questions or comments?

Mr James J. Bradley (St Catharines): I couldn't resist commenting on the very provocative speech by the member for Wentworth North, because what he wanted to suggest — and I know the people out there would not want him to provide information which was not correct — was that this was somehow making a very substantial contribution to a \$10-billion increase in debt, and a \$50-billion increase in debt under the NDP. Of course, we all know that under the Conservative government the increase in debt in this province within your term of office will in fact be some \$22 billion. I'm glad the member reminded me of that so I could remind the people of this province that it won't be a \$10-billion increase in debt; it will be a \$22-billion increase in debt.

2240

In addition to this, I want to — I think I was on a two-minuter actually, so is my time up?

The Acting Speaker: We're just trying to sort that out. You're time is up, Mr Bradley. I'm sorry, the clock did not come on.

Mr Bradley: Okay, I will keep it less than four minutes. There was a little error in the clock. Don't worry; it's late at night.

I know the member did not want to downplay the quality of research that has taken place in the field of education in this particular body, which was established

by a Progressive Conservative government and supported so strongly by Premier Robarts and of course by Premier Davis, particularly when he was Minister of Education. I want to compliment Premier Davis, Premier Robarts and other members of the Conservative Party who in those days had the foresight to establish an institute in education which would be almost second to none in the world in terms of its research in education.

We will be supporting this bill. We think the time has come. I think the protocol was signed under the NDP government that this merger would take place, and we're seeing it take place. The amount of the savings will be modest.

I do remember, may his soul rest in peace, Gerhard Moog, who I think built the original OISE building. Mr Moog just died recently, so I won't get into that, but we all remember untendered contracts that took place in years gone by.

Again, I'm glad the member raised those issues, and when he does so in such a provocative way, it always allows those of us in the opposition to think of further things we might say in a speech later on. When he says it in a benign way, it soothes us and we just don't press the matter, so I thank him very much for his provocation.

The Acting Speaker: Further questions or comments? The member for Wentworth North, you may sum up.

Mr Skarica: I've already said all I need to say.

The Acting Speaker: Thank you. Further debate?

Ms Annamarie Castrilli (Downsview): I will support this bill as I am in agreement with it and believe that it represents what should be the underlying principles and objectives of the post-secondary education sector.

The Ontario Institute for Studies in Education, as has been pointed out, was a creature of a former Conservative government which had foresight, and because of that foresight created an excellent facility and an excellent institution in the field of education. That institution and the University of Toronto, two quality and well-respected institutions, are now changing course, heading down a new road that will lead to improved efficiencies, lower costs, enhanced innovation, greater overall achievement and excellence.

I find it ironic, however, that this most farsighted, fact-based, goals-oriented action in the realm of post-secondary education, despite what the member for Lincoln has said, has resulted from nothing this government has done. In fact, the protocol was signed a year ago and it was a Liberal government that initiated merger plans, which were conducted by the two institutions and finally agreed upon in December 1994, well before this government was even contemplating power.

This government has a lot to learn from this process, a process based on voluntary involvement, cooperation, planning and dedication to learning. We have seen all too often, with both the NDP and the Conservative governments, that when you force substantial institutional restructuring without first convincing the stakeholders of the need for change, the benefits of change and the implications of change, such efforts will be met with friction, scepticism and possibly opposition.

Our colleges and universities are aware of the province's current fiscal difficulties. They are not unrealistic

about the need for financial accountability and responsibility, but they expect to be involved in the long-term planning of their own sector. They have the right to expect the government's funding decisions to be based on rational, consultative processes, and they expect funding levels that allow the institutions to achieve the results expected of them.

What our colleges and universities do not expect is to be ignored by the minister. They do not expect the government to make arbitrary budget decisions that force hasty internal layoffs, program closures, class elimination and tuition increases of the magnitude that we have seen this year all across the province. Change, particularly fundamental, long-term change, requires in-depth planning.

As an example, the OISE-U of T merger has involved more than a full year of detailed designing of the new faculty. The administrative integration task force has been developing the implementation plan for the integration of administrative support services, and the academic integration task force outlined the overall integration of the two institutions.

The point I am making is that when embarking on a complex new initiative, one must have a clear concept of the results that need to be achieved. The results that this merger is pursuing are attracting and retaining outstanding faculty, attracting outstanding students at the pre-service and graduate levels, development of a healthy infrastructure through substantial investment in the area of technology, strengthening research and developing new partnerships, a commitment to continuous improvement of teaching and ongoing performance assessment.

These are the types of goals the minister should be speaking about. Instead, his main thrust in this sector over the last year has been the easy task of taking a pen to the bottom line of university budgets and slashing, without thought for planning and most certainly without thought for the consequences. Anyone can do this. It doesn't take any skill whatsoever.

To lead our colleges and universities into the new century with improved efficiency, quality, accessibility and effectiveness, however, requires forethought, a dedication to consultation and cooperation and creativity.

I applaud the University of Toronto and the Ontario Institute for Studies in Education for their understanding of fiscal realities, for their interest in finding innovative solutions, for their perseverance in negotiating a commendable integration plan and for their commitment to excellence in education. Their example stands in stark contrast to this government and clearly shows that our post-secondary sector can and will remain competitive by advancing learning opportunities, teaching abilities and research accomplishments.

This is just one specific example of how Ontario's colleges and universities can be improved with commitment, dedication and full participation. It is, in fact, only through commitment and full participation that we can find unique solutions and sensible innovations that will make sense for our post-secondary institutions and make us competitive into the 21st century. As legislators, we must never forget that we too have a responsibility to

promote excellence, but this requires leadership, openness and cooperation.

I support this legislation, but challenge the government to address post-secondary education with leadership, openness and cooperation, not just mindless disregard. I congratulate the University of Toronto and the Ontario Institute for Studies in Education for the completion of this initiative. I wish them and their staff and their students every success.

The Acting Speaker: Questions or comments?

Mr Richard Patten (Ottawa Centre): Madam Speaker, it's good to see you smiling at this late time. I would like to congratulate my colleague the member for Downsview and critic for colleges and universities for an insightful comment on this legislation that looks like it will not be too contentious between the three caucuses. I think her point of the message —

Interjection.

Mr Patten: "Caucuses" is plural for "caucus," I would like to point out to the Minister of Culture.

I would like to say that while she is saying there is a message in that these two fine institutions, on their own, with solid planning, arrived at an arrangement that is in the best interests of everyone — and it wasn't just the bottom line that drove them to do so. There was a quality of delivery of service that was really at stake, and if there will be savings into the bargain, so much the better.

2250

I think the message even goes beyond simply the U of T and OISE and what they are doing. There's a message in this for this government in terms of the continued reference to amalgamation of school boards, forcing boards perhaps to get together, forcing hospitals to merge, forcing municipalities to form regions etc, and that not necessarily is bigger best but that if you will look on a case-by-case basis, you may find that there is a natural inclination and that the government should play a role of nurturing sometimes and supporting rather than force-feeding situations which may not produce the best results in terms of the services those particular sectors may have to provide.

On that note, Madam Speaker — Mr Speaker; you've changed — I will sit down.

The Speaker (Hon Allan K. McLean): Further comments or statements? There being no further comments or statements, the member for Downsview has up to two minutes to reply.

Ms Castrilli: I'm delighted to respond to my colleague from Ottawa Centre. I was privileged to be the chair of the governing council of the University of Toronto at the time that this agreement was being negotiated and finally concluded between the University of Toronto and OISE, and I can attest personally to the energies and the skills and the talents that went into fashioning what is a very creative, dynamic merger and what I think will be an excellent initiative for the province of Ontario and for the people of the province of Ontario.

I think the institutions are to be commended. I think Ontario will benefit greatly from the merger or from the research that will come from the merger. I certainly look forward to an institution which will be of great value and unparalleled perhaps in Canada.

I wish, as I said before, everyone involved in the venture well. There is indeed a lesson for the government, particularly in these difficult times, to harness our best talents and our wisest minds which in fact reside within the colleges and the universities — or at least many of them do — and ask of them to find creative and innovative ways to resolve what are some very difficult and challenging fiscal problems for us, and not seek to impose through authoritarian, mindless ways strictures on the institutions which inevitably will lead to mistakes which this government will come to rue in the years to come.

The Speaker: Further debate?

Mr Bradley: I would like to offer a few brief remarks about this matter because it is a matter of great importance. I have a brown envelope that's been handed to me on which I have a few notes made.

First of all, we will be supporting this bill. I join my colleague in supporting this legislation. I congratulate the New Democratic Party on having consummated this agreement, and the present government, of course, is following through once again on another piece of NDP legislation. That is going to raise some eyebrows in all the important clubs in Ontario.

Bob Nixon will agree with this because I was speaking to him just the other night and told him the government was finally — this was finally happening, that the NDP had agreed to it and now the Conservatives. He was delighted and sends along his best wishes. But we have to remember that the Ontario Institute for Studies in Education currently has an enrolment of 1,400 master's degree students and 900 doctoral students at various stages in its programs, which shows that it is doing an excellent job.

The problem is that we're all probably wondering, when the minister of colleges and universities brought forward a bill, if he would be at that time announcing a 20% increase in tuition fees for the students going to the University of Toronto, because that's what they have to look forward to. After a 42% increase over the past five years, they've got yet another 20% increase at a time when they can't afford it and when OSAP is being modified, I believe, to the detriment of many of those students and at a time when the ministry of colleges and universities is cutting staff, so that the ministry is unable to deal with the many complaints and inquiries that young people have, and people not so young, who are endeavouring to obtain financial assistance through the auspices of the government of Ontario.

One thing I will say for this, with the money that's saved, I say to the member for Wentworth North because the Minister of Culture and —

Hon Marilyn Mushinski (Minister of Citizenship, Culture and Recreation): Recreation.

Mr Bradley: — Recreation is here.

Hon Ms Mushinski: Don't forget citizenship.

Mr Bradley: And citizenship; culture, citizenship and recreation. She will now know that with the money that has been saved she will be able to assist in providing funding matching the federal and municipal governments, funding to deal with environmentally restoring the Martindale Pond in St Catharines and undertaking the

work necessary to secure final international approval to hold the world rowing championships in St Catharines on the world-famous Royal Canadian Henley Regatta course.

The member for York Mills, the chief government whip, his son was down there. I noticed him in Port Dalhousie with a lovely young woman, who was his daughter, and his son was down there as well, and they were enjoying St Catharines. He had his family down; it was a family day. His son was rowing at that time and I believe won a silver medal. Congratulations to him.

So with the money you have saved, because I know you want to redirect it, we now have the opportunity to invest it in that world-class facility so that the world rowing championship will be held there.

To all of you, I promised you that I would be finished before 11 o'clock tonight with this particular speech. But I do urge you to assist those students out there so that we don't have a situation where the sons and daughters of

the wealthy and the privileged are able to have a university and a college education and not those of people of modest means.

The Speaker: Questions or comments? Further debate? Seeing none, Mr Skarica has moved third reading of Bill 45.

Is it the pleasure of the House that the motion carry? Carried.

Be it resolved it do now pass and be entitled as in the motion.

Hon Ms Mushinski: I move adjournment of the House.

The Speaker: Is it the pleasure of the House that the motion carry? Carried. I was sure that it would pass. This House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 2258.

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Richard Patten, Trevor Pettit, Peter L. Preston,
Bruce Smith, Bud Wildman
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CONTENTS

Monday 17 June 1996

SECOND READINGS

Automobile Insurance Rate Stability Act, 1996,

Bill 59, *Mr Eves*

Mr Flaherty	3609
Mr Crozier	3610, 3636
Mr Conway	3614, 3621
Mr Harnick	3620
Mr Bradley	3620, 3629, 3632, 3636
Mr Tilson	3620, 3625
Mr Martin	3621, 3623
Mr Wettlaufer	3622
Mr Martiniuk	3623
Mr Gravelle	3624, 3629
Mr Sampson	3625, 3629
Mr Sergio	3625, 3630
Ms Castrilli	3630, 3632
Mr Patten	3631
Mr Klees	3636
Mr Michael Brown	3636
Vote deferred	3637

THIRD READINGS

Ontario Institute for Studies in Education Repeal Act, 1996

Bill 45, *Mr Snobelen*

Mr Skarica	3637
Mr Bradley	3637, 3639
Ms Castrilli	3638, 3639
Mr Patten	3638
Agreed to	3639

TABLE DES MATIÈRES

Lundi 17 juin 1996

DEUXIÈME LECTURE

Loi de 1996 sur la stabilité des taux d'assurance-automobile,

projet de loi 59, *M. Eves*

Vote différé	3637
--------------------	------

TROISIÈME LECTURE

Loi de 1996 abrogeant la Loi sur l'Institut d'études pédagogiques de l'Ontario,

projet de loi 45, *M. Snobelen*

Adoptée	3639
---------------	------

